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280 DIVISADERO STREET CARRIAGE HOUSE

Draft Environmental Impact Report

Planning Department Case No. 2001.1056E

Draft EIR Publication Date:
May 5, 2007

Draft EIR Public Hearing Date:
June 14, 2007

Draft EIR Public Comment Period:
May 5 to June 18, 2007

Written comments should be sent to:
Paul E. Maltzer
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103



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DATE: May 5, 2007

TO: Distribution List for the 280 Divisadero Street Carriage House Project EIR

FROM: Paul Maltzer, Environmental Review Officer

SUBJECT: Request for the Final Environmental Impact Report for the 280 Divisadero Street Carriage House Project (Case No. 2001.1056E)

1650 Mission St
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

This is the Draft of the Environmental Impact Report (EIR) for the 280 Divisadero Street Carriage House Project. A public hearing will be held on the adequacy and accuracy of this document. After the public hearing, our office will prepare and publish a document entitled "Comments and Responses," which will contain a summary of all relevant comments on this Draft EIR and our responses to those comments, along with copies of the letters received and a transcript of the public hearing. The Comments and Responses document may also specify changes to this Draft EIR. Public agencies and members of the public who testify at the hearing on the Draft EIR will automatically receive a copy of the Comments and Responses document, along with notice of the date reserved for certification; others may receive such copies and notice on request or by visiting our office. This Draft EIR, together with the Comments and Responses document, will be considered by the Planning Commission in an advertised public meeting, and then certified as a Final EIR if deemed adequate.

After certification, we will modify the Draft EIR as specified by the Comments and Responses document and print both documents in a single publication called the Final Environmental Impact Report. The Final EIR will add no new information to the combination of the two documents except to reproduce the certification resolution. It will simply provide the information in one rather than two documents. Therefore, if you receive a copy of the Comments and Responses document in addition to this copy of the Draft EIR, you will technically have a copy of the Final EIR.

We are aware that many people who receive the Draft EIR and Comments and Responses document have no interest in receiving virtually the same information after the EIR has been certified. To avoid expending money and paper needlessly, we would like to send copies of the Final EIR to private individuals only if they request them. Therefore, if you would like a copy of the Final EIR, either in printed form or on compact disc (CD), please fill out and mail the postcard provided inside the back cover to the Major Environmental Analysis division of the Planning Department within two weeks after certification of the EIR. Any private party not requesting a Final EIR by that time will not be mailed a copy. Public agencies, such as libraries, on the distribution list will automatically receive a copy of the Final EIR.

Thank you for your interest in this project.



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INTRODUCTION

The 280 Divisadero Street carriage house is part of a designated city landmark (City Landmark No. 190, the Charles L. Hinkel House and Carriage House), and is therefore a historical resource under the California Environmental Quality Act (CEQA). Because the project as proposed would result in demolition of the carriage house under the definition set forth in Article 10 of the San Francisco Planning Code, thereby constituting a significant adverse change to the resource, an EIR must be prepared for the proposed project. The project would also include construction of a new approximately 1,300-square-foot building on the landmark site, and the effect of the new construction is also evaluated in this EIR.

The purpose of the EIR is to provide decision-makers and the public in general “with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project” (CEQA Sec. 21061).

Chronology

On October 30, 2001, the project sponsor filed an application for a Certificate of Appropriateness, pursuant to Article 10 of the Planning Code, for what was described in the application as exterior alterations to the carriage house on the project site, including a new foundation, replacement of dry-rotted and worn-out wood siding, and installation of new windows for the purpose of converting the building to a residential use. In addition, the application described removal of doors and windows dating from the 1960s, as well as the last remaining original window, and removal and replacement of the garage addition roof and of the existing mansard shingle roof of the carriage house.

Planning Department staff reviewed the application and determined that the proposed project was more visually elaborate than staff deemed appropriate for a building originally developed and used as a secondary structure on the lot, and recommended that the design be simplified.

On December 19, 2001, the project was heard at the Landmarks Preservation Advisory Board’s Architectural Review Committee (ARC). At that meeting, ARC members expressed differing opinions about the proposal, but recommended that the project design be simplified before it was presented to the full Landmarks Board for a recommendation on the application for a Certificate of Appropriateness.

The project was presented to the full Landmarks Board on September 18, 2002. At that meeting, staff recommended that the Landmarks Board advise the Planning Commission that the project would adversely affect the Charles L. Hinkel House and Carriage House. The Landmarks Board considered three

motions—to continue the matter to another meeting,¹ to support the staff recommendation, and to support the project. The Landmarks Board did not pass any of the motions, and the Landmarks Board thus took no action on the Certificate of Appropriateness. The failure of the Landmarks Board to act does not constitute grounds for delaying or postponing a Planning Commission hearing.

In light of the lack of action by the Landmarks Board and the Department staff conclusion that the project as proposed would constitute a significant adverse effect on historical resources, the Planning Department's Major Environmental Analysis division determined that preparation of an EIR was required. An Initial Study was published on March 20, 2004, and concluded that, with the exception of historical resources, the proposed project would not have any significant effects on the environment.

Subsequent to publication of the Initial Study, Planning staff, in conducting further review of the proposed project, determined that the project would be considered “demolition” of the carriage house under the standards set forth in Article 10 of the Planning Code (see further discussion in Section III.A, p. 31). Therefore, whereas the Initial Study described the proposed project as renovation of and alterations to the carriage house, this EIR describes the project as “demolition” of the carriage house and construction of a new residential structure at the same location. Because the change in description is a matter of terminology and interpretation of the Planning Code, rather than a change in the physical description of the proposed project, none of the physical changes identified in the Initial Study need be revisited.

No building permit application has been filed in connection with the proposed project.

¹ According to the project sponsor, he realized that the amount of information he wished to present to the Landmarks Board was overly lengthy, and he indicated that he wished to submit it before the hearing of the Landmarks Board in written form prior to a decision on his application.

CHAPTER I

Summary

A. Project Description (p. 9)

The project site is at 280 Divisadero Street, on the eastern side of Divisadero Street between Page and Haight Streets, in the Lower Haight neighborhood of San Francisco's Western Addition district. The site (Assessor's Block 1238, Lot 23) consists of a single parcel, and is 6,875 square feet in area. The project site contains two structures: a four-story single-family dwelling (the "main house") and a two-story building that originally served as a carriage house for the property (the "carriage house") and the upper floor of which was used as a second residential unit beginning at some time before 1964;² this use was apparently abandoned around 1981. The project site, including both structures and the entire lot, is City Landmark No. 190, the Charles L. Hinkel House and Carriage House, named after the builder. The proposed project is limited to the carriage house; no changes to the main house are proposed. The carriage house, located at the rear property line, in the northeastern corner of the project site, is not visible from the street.

The project sponsor proposes to alter the carriage house, which is in disrepair. Reportedly, the building was last occupied in 1981. The proposal includes both exterior alterations and interior structural repairs, so that the essentially new building can be used as a second residential unit on the lot. Because residential use of the carriage house was never permitted, however, the project proposes to make the residential use a legal, permitted use for the first time.

Based on the proposed work, Planning staff has determined that the project would be considered "demolition" of the carriage house under the standards set forth in Article 10 of the Planning Code. Preservation of Historical Architectural and Aesthetic Landmarks.³ Planning Code Section 1005(f) defines demolition, for purposes of Article 10, as (1) removal of more than 25 percent of the surface of all external walls facing a public street(s); (2) removal of more than 50 percent of all external walls from their function as all external walls; (3) removal of more than 25 percent of external walls from function as either external or internal walls; or (4) removal of more than 75 percent of the building's existing internal structural framework or floor plates (unless the City determines that such removal is the only feasible means of achieving the seismic standards of the Building Code). Planning Department preservation

² The project sponsor disagrees with the Planning Department's determination that only the upper floor of the carriage house was used as a residence. The project sponsor asserts that the carriage house was used as residential on both floors.

³ Based on current Building Code standards, the proposed project is not anticipated to be defined as "demolition" by the Department of Building Inspection.

planning staff, based on its review of plans and the project description submitted to date, has concluded that it appears that either or both of conditions 1 and 4 apply.

The proposed exterior work would include: construction of a new perimeter foundation; installation of new structural framing; installation of a new front door; installation of new ground-floor windows, including removal of the existing large doorway to the right of the front door; removal and replacement of the existing non-historic aluminum-frame sliding door at the second-story dormer with a new wood sash window; and reconstruction and narrowing of the dormer and addition of a new pyramidal cupola atop the new dormer as a decorative element. Two new oval-shaped wood sash windows would be installed in the western (front) slope of the existing Mansard roof. Exterior wood siding would be removed from the framing system to allow for the installation of both insulation and a new vapor barrier, then reinstalled, as feasible, based on condition, and replaced, in kind, where necessary. New decorative wood trim would be added around the new doors and windows, along a new horizontal trim line between the first and second floors, and at the corners of the building. A new outside deck would be constructed atop an existing non-historic carport (which is attached to the carriage house), with a new doorway leading to the deck from the second floor of the structure. The sponsor proposes to add new decorative iron cresting along the roofline and a new weathervane atop the cupola.

The project also would include installation of new utilities, including pumps for wastewater and storm water. The existing single-car carport would be converted to an enclosed garage with installation of a new garage door. There would be no change in parking capacity, and the square footage and height of the carriage house would be unchanged from its present condition, with the exception of the new cupola, or tower, which would rise about 9 feet above the existing roofline.

As discussed above, the extent of the proposed work is substantial enough that the Planning Department considers the proposed project to be demolition and new construction.

B. Main Environmental Effects

This environmental impact report, for the 280 Divisadero Street Carriage House project, focuses on issues regarding historic architectural resources. All other potential environmental effects were found to be at a less-than-significant level or to be mitigated to a less-than-significant level with mitigation measures to be implemented by the project sponsor. (Please see the Initial Study, included in this document as Appendix A, for analysis of other issues. Mitigation measures are also discussed on p. 5 herein, and in Chapter IV.)

Historic Architectural Resources (p. 29)

The carriage house is a contributing element of City Landmark No. 190, making the carriage house a historical resource under CEQA. The proposed project would be a demolition of the carriage house (under the standards set forth in Article 10) and would, therefore, constitute a significant and unavoidable impact, which would not be mitigated to a less-than-significant level. (Mitigation identified in Chapter IV

would reduce the significant effects of the demolition and new construction, but not to a less-than-significant level. The project sponsor has agreed to implement the mitigation measure set forth in Chapter IV.)

Once it had been determined by Planning staff that the alterations to the existing building would constitute demolition under the standards set forth in Article 10, a second component of the analysis was necessary to evaluate the impact of the proposed new construction at the location of the carriage house on the overall landmark site. A review of the proposed project was conducted, as part of the EIR analysis and under contract to the EIR consultant, by an architect with experience in working with historic buildings in San Francisco and the Bay Area. That analysis (the "historic architectural review," included in Appendix C of this EIR) evaluated the consistency of the proposed new construction with the *Secretary of the Interior's Standards for Rehabilitation* ("Secretary's Standards"), and determined that the development of the new residential unit through new construction at the site of the carriage house would generally be consistent with the Secretary's Standards. Planning Department preservation planning staff, however, disagrees with many of the conclusions of the historic architectural review. In particular, Department staff found that the project would create a false sense of historical development. Because of the elaborate detail in the design of the new residential structure proposed at the location of the carriage house, Planning staff determined that the new residential structure would no longer be secondary to the main house, as was the case in the historical relationship between the main house and the carriage house, concluding that the main house, which would remain, "would appear as but one element of a new composition bearing little relationship to the historic appearance of the property. As a result, the historic character of the overall property and its environment would be destroyed."⁴

In light of the above, for purposes of a conservative analysis, based on Planning Department preservation staff's conclusions, both the demolition (under the standards set forth in Article 10) of the carriage house and the construction of the proposed new residential building, which Planning staff has found to be inconsistent with the Secretary's Standards, are considered to result in significant adverse effects on historical resources under CEQA.

As described herein, particularly in Section III.A, Historic Architectural Resources, Impacts, p. 29, and Chapter V, this EIR describes and finds that the proposed project would result in a significant impact on City Landmark No. 190, the Charles L. Hinkel House and Carriage House, for two reasons: (1) the demolition (under the standards set forth in Article 10) of the carriage house; and (2) the new building would be inconsistent with the Secretary's Standards and would alter City Landmark No. 190 such that the historic character of the overall property, the whole of which is landmarked, and its environment would be substantially adversely affected.

⁴ N. Moses Corrette, Preservation Technical Specialist, Memorandum to Viktoriya Wise, Major Environmental Analysis, November 20, 2006. This memorandum is included in this document in Appendix D.

C. Areas of Controversy and Issues to be Resolved

The primary issue to be resolved is whether the proposed project at 280 Divisadero Street (specifically, the proposed new residential structure) is compatible with the City Landmark designation of the property. Upon review of the proposed project, Planning Department preservation staff recommended that the project design be modified to maintain the new residential structure (carriage house) as a “secondary structure,” subordinate to the main house, and utilitarian in character. As noted in the Introduction, the Architectural Review Committee of the Landmarks Preservation Advisory Board (LPAB) reviewed the project in 2001, at which time all three members present opined that the proposed project design should be simplified, although one member indicated he could support the project and a second recognized a conflict between the project sponsor’s design concerns and the dictates of preservation planning. The full LPAB considered the project in 2002 but was unable to achieve a majority vote either in favor of the proposed design or in support of the staff recommendation that the project would adversely affect Landmark No. 190, the Charles L. Hinkel House and Carriage House. In 2004, a second Planning Department preservation technical specialist reviewed the project and found, consistent with the previous staff determination, that the project would result in a loss of integrity of design, materials, feeling and association of the carriage house. The 2004 staff review also noted that the proposed project would impair “the setting and feeling of the landmark site overall, with a change of the relationship between the two buildings as primary residence, and ancillary structure.”⁵

Because both of these evaluations occurred prior to the determination that the project would result in “demolition” under the standards set forth in Article 10, their focus was on preservation of the carriage house as a subordinate structure to the main house. In 2006, after staff determined that the project would be a demolition under the standards set forth in Article 10, preservation planning staff again reviewed the proposed project, concluding that the project would add inappropriate conjectural features to the proposed new residential structure and that the project would adversely alter the overall character of Landmark No. 190. A review of the proposed project was conducted, as part of the EIR analysis and under contract to the EIR consultant, by an architect with experience working with historic building in San Francisco and the Bay Area.⁶ That analysis, referred to herein as the “historic architectural review,” evaluated the consistency of the proposed new construction with the Secretary’s Standards, and determined that the proposed new structure would be generally consistent with the Secretary’s Standards. This EIR considers the analysis set forth by the Planning Department preservation staff documents as well as the historic architectural review prepared by the consultant.

This EIR assumes that the demolition of the carriage house would be a significant, unavoidable impact, and evaluates the project’s construction of a new residential structure for its impacts on the overall Landmark No. 190, including the main house and grounds.

⁵ N. Moses Corrette, Preservation Technical Specialist, memorandum to Nannie R. Turrell, Major Environmental Analysis Unit, July 12, 2004. This memorandum is included in Appendix D.

⁶ Mark Hulbert, Architect & Architectural Conservator, Preservation Architecture, letter report to Environmental Science Associates, December 7, 2005. The full report is included in Appendix C.

The Planning Commission (or Board of Supervisors on appeal) will decide whether to approve, approve with conditions, or disapprove the proposed project after review and certification of the EIR. In selecting or rejecting project alternatives, decision makers may also use other information in the public record.

D. Mitigation Measures (p. 43)

Mitigation Measure 1—HABS-Level Recordation

The carriage house has been documented as part of the Landmarks Preservation Advisory Board case report, as summarized in this EIR. Nevertheless, further documentation, such as drawings and photographs to the standards of the Historic American Buildings Survey (HABS) should be undertaken prior to demolition. The project sponsor shall complete documentation of the carriage house in accordance with HABS level II standards. The documentation shall include:

- **Photographs:** Photographs with large-format (4x5 inch) negatives shall be shot of exterior and interior views of the carriage house, and views of the carriage house in the context of the main house and overall grounds of City Landmark No. 190. Historic photos of the carriage house, where available, shall be photographically reproduced. All photos shall be printed on archival fiber paper and fully identified with the name and location of the structure(s), a description of the feature or view being photographed, and the direction in which the photograph was taken, as well as the name of the photographer and the date created.
- **Drawings:** Architectural drawings (elevations and plans) of the existing carriage house, where available, shall be photographed with large format negatives or photographically reproduced on mylar.

The completed documentation package shall be submitted to local and regional archives, including but not limited to, the San Francisco Public Library History Room, the California Historical Society and the Northwest Information Center at Sonoma State University in Rohnert Park. A non-archival proof set shall be submitted to the Planning Department.

Implementation of this mitigation measure would not reduce the project's significant adverse impact to a less-than-significant level. CEQA Guidelines Section 15126.4 states that, "In some circumstances, documentation of an historical resource, by of historic narrative, photographs or architectural drawings, as mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur." As such, HABS recordation does not fully mitigate the loss of historic structure. Although the primary significance of the carriage house relates to its contextual association with the main house and the overall site of Landmark No. 190, the Charles L. Hinkel House and Carriage House, and not as an individually significant work of architecture, nonetheless, "demolition" of the carriage house, under the standards set forth in Planning Code Article 10, would result in significant, unavoidable impact on historical resources.

The project sponsor has agreed to implement the above mitigation measure.

E. Alternatives to the Proposed Project (p. 46)

The Alternatives chapter identifies alternatives to the proposed project and discusses their environmental effects in comparison to those of the proposed project. The alternatives discussed are the No Project Alternative; Preservation Alternative; Reconstruction Alternative; and New Construction Alternative.

Alternative A: No Project

This alternative would entail no change to the site, which would remain in its existing condition. The carriage house would not be demolished and rebuilt, and would not be legalized and re-occupied as a residential unit. Under this alternative, the carriage house would be expected to continue to deteriorate. Given the current condition of the building, it is likely that it would sustain further structural failure, either due to dry rot or to undermining of the perimeter structural support. It is reasonable to assume that, left untouched, the carriage house ultimately could collapse due to structural failure or could require complete demolition, as it would become dangerous should the structural condition deteriorate beyond a certain point. Demolition would result in similar effects to those of the project. Under this alternative, minor repairs could be made to the carriage house. The No Project Alternative would be environmentally superior to the project over the near term because it would not result in an immediate significant and unavoidable impact due to demolition of the carriage house or new construction inconsistent with the Secretary's Standards. However, this alternative would not meet any of the project sponsor's objectives and in the long term, the demolition of the carriage house might result due to deterioration.

Alternative B: Preservation Alternative

This alternative would include stabilization of the carriage house and repair to correct existing decay, but would not include the alterations to allow the building to be used as a residential unit as is proposed with the project. It is assumed that this alternative would be undertaken consistent with the *Secretary of the Interior's Standards for Preservation*, which are similar to the *Standards for Rehabilitation*, except that they permit less alteration and do not allow for new additions, exterior alterations, or adjacent new construction.

This alternative would avoid the two significant, unmitigable effects of the proposed project: (1) demolition (under the standards set forth in Planning Code Article 10) of the carriage house; and (2) construction of a new structure at the location of the carriage house, which Planning staff has found to be inconsistent with the Secretary's Standards for Rehabilitation. The Preservation Alternative would be environmentally superior to the project because it would not result in an immediate significant and unavoidable impact due to demolition of the carriage house or introduce incompatible new construction. Like the No Project Alternative, the Preservation Alternative would not meet the project sponsor's objectives.

Alternative C: Reconstruction Alternative

This alternative would be consistent with the *Secretary of the Interior's Standards for Reconstruction*, with the goal of reconstructing the exterior appearance of the historic carriage house with new materials. Reconstruction could mean either a new structure identical to the carriage house in its existing state or a new structure as the carriage house was in an earlier state. One option for reconstruction would be based on the recommendations of the Planning Department's preservation technical specialist and drawn from evidence in the building's framing. Under this alternative, at least one large carriage doorway would be re-established in the principal (west) façade of the carriage house. One option would be to infill the carriage doorway in the west façade with a glass wall, with reconstructed barn doors capable of being fixed in the open position. The existing 4/4 window in the north bay of this façade, which is original to the carriage house, would be retained, and a matching window installed to the south. On the second floor, the sliding glass door would be replaced with a fixed glass lower panel, and an operable casement window within the existing opening. Flush-mounted skylights would provide additional light to the upper floor, as would openings in the south façade. Another option could involve re-opening the west-side entry last used for carriages or automobiles, and infilling the opening with a glass wall, with or without reconstructed barn doors – fixed in the open position. The central bay would be used for residential doors within the existing opening, and the single window maintained to the north. Treatment of the second floor would be as described above.

As with the proposed project, this alternative would result in a significant impact due to demolition (under the standards set forth in Article 10) of the carriage house. Unlike the project, however, this alternative would have less-than-significant overall impacts on City Landmark No. 190 as a result of the new construction, and would be designed to be consistent with the *Secretary of the Interior's Standards for Reconstruction*. Other impacts of this alternative would be identical to those of the proposed project, as discussed in the Initial Study (see Appendix A); none of these impacts would be significant. The Reconstruction Alternative would be environmentally superior to the proposed project, because, while it would result in the same significant and unavoidable impact as the project due to demolition of the carriage house, it would not result in new construction that Planning staff has found to be inconsistent with the Secretary's Standards for Rehabilitation, and the associated impacts on the overall City Landmark No. 190. This alternative would meet the project sponsor's objective to allow the carriage house to be used as a second residential unit and to stabilize and structurally enhance the building. However, it would not in the sponsor's opinion achieve the objectives of creating an attractive structure, rather than one that resembles a barn-like structure; providing for adequate interior light with tall first-floor windows and new west-facing windows in the second story; and creating a design consistent with the Second Empire-style architectural features of the main house, including the addition of architectural and decorative elements.

Alternative D: New Construction Alternative

As with the proposed project, this alternative would result in the demolition (under the standards set forth in Article 10) of the carriage house. This alternative would also result in the construction of a new

structure in place of the carriage house. However, the new building would not attempt to reconstruct the carriage house in appearance. This alternative would develop a two-story structure with the carport converted to a garage that would maintain the utilitarian character of the carriage house and a secondary relationship to the main house. The residential entrance would be centered on the west façade and two matching windows would be installed to the north and south. The second floor would also include two matching windows in the north and south bays of the front façade and a dormer in the center. A roof deck would be added atop the garage, accessible by a second-floor doorway. This alternative would result in a substantially less ornate structure than proposed by the project and therefore, generally would be in keeping with the recommendations of the Landmarks Board's Architectural Review Committee, at its 2001 hearing on the project.

As with the proposed project, the New Construction Alternative would result in a significant impact due to demolition of the carriage house. However, unlike the proposed project, the New Construction Alternative would not alter the relationship of the primary main house to the secondary structure that characterizes the City Landmark No. 190. The New Construction Alternative would avoid the potential for creating a false sense of historic development by omitting the elaborate detailing proposed as part of the project. As such, the New Construction Alternative would not adversely impact the historic character of the overall City Landmark and its environment. This alternative would, therefore, be environmentally superior to the proposed project. Other impacts of this alternative would be identical to those of the proposed project, as discussed in the Initial Study (see Appendix A and Section III.C); none of these impacts would be significant.

The New Construction Alternative would be environmentally superior, compared to the proposed project, because while it would result in the same significant and unavoidable impact as the project due to demolition (under the standards set forth in Article 10) of the carriage house, it would not result in new construction that Planning staff has found to be inconsistent with the Secretary's Standards, and the associated impacts on the overall City Landmark No. 190. This alternative would meet the project sponsor's objectives of allowing the carriage house to be used as a second residential unit, providing adequate light for the dwelling unit, and stabilizing and structurally enhancing the building. However, it would not, in the sponsor's opinion, achieve the objectives of creating an attractive structure and creating a design consistent with the Second Empire-style architectural features of the main house, including the addition of architectural and decorative elements. The sponsor believes this alternative retains too much of a barn-like appearance.

CHAPTER II

Project Description

A. Site Location

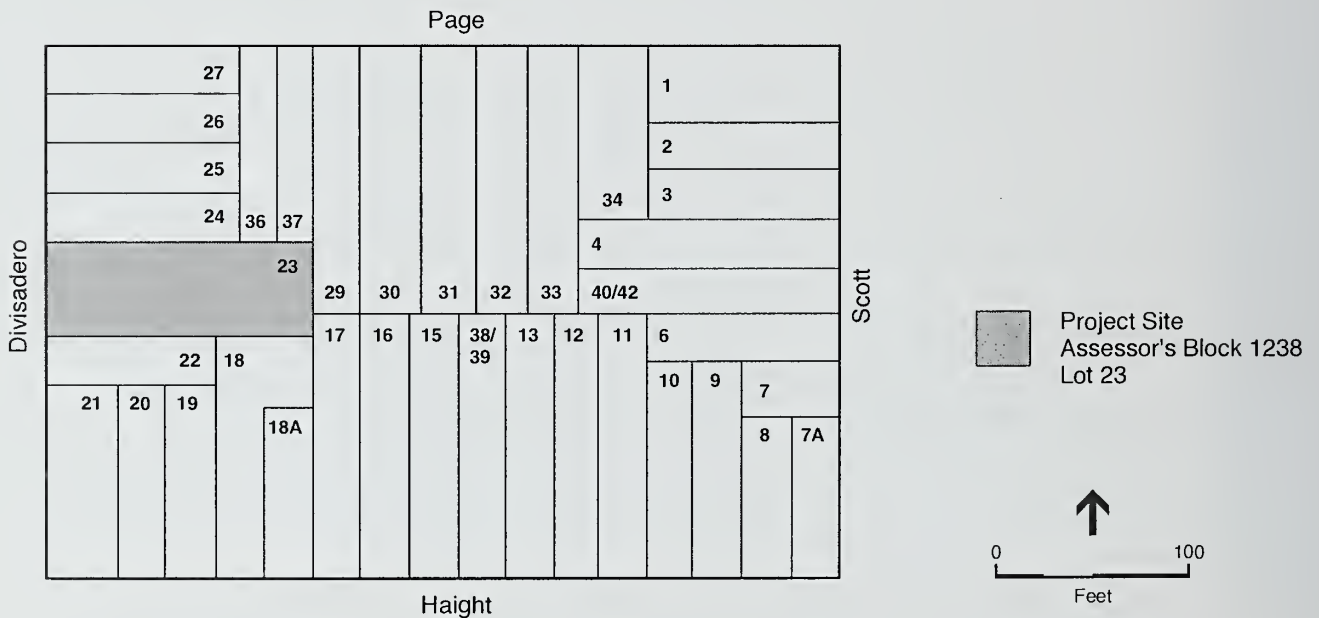
The project site is at 280 Divisadero Street, on the eastern side of Divisadero Street between Page and Haight Streets, in the Lower Haight neighborhood of San Francisco's Western Addition district (see Figure 1). The site (Assessor's Block 1238, Lot 23) consists of a single parcel, and is 6,875 square feet in area. At 50 feet in width, the site is considered a "double lot," in that it is twice the 25-foot width of a typical San Francisco residential parcel. The site is also deeper, at 137½ feet, than a typical 100-foot lot. The project site contains two structures: a four-story single-family dwelling (the "main house") and a two-story building that originally served as a carriage house for the property (the "carriage house") and the upper floor of which was used as a second residential unit beginning at some time prior to 1964,⁷ although the residential use was apparently abandoned around 1981.⁸

The existing main house and carriage house were constructed in approximately 1885. The project site, including both structures and the entire lot, is City Landmark No. 190, the Charles L. Hinkel House and Carriage House, named after the builder. (The history of the property and of Charles Hinkel, a prominent early San Francisco home builder, is discussed in Section III.A, Historic Architectural Resources, p. 24.) The proposed project is limited to the carriage house; no changes to the main house are proposed.

The carriage house is located at the rear property line, in the northeastern corner of the project site, immediately adjacent to the northern property line of the site. Attached to the south side of the carriage house is a newer carport, which extends to approximately the southern property line. Together, the carriage house and carport occupy most of the rear approximately 15 percent of the lot (see site plan in Figure 2, p. 11). The carriage house is not visible from the street because there is a fence and a garage door south of the main house along the Divisadero Street property line.

⁷ The project sponsor disagrees with the Planning Department's determination that only the upper floor of the carriage house was used as a residence. The project sponsor asserts that the carriage house was used as residential on both floors.

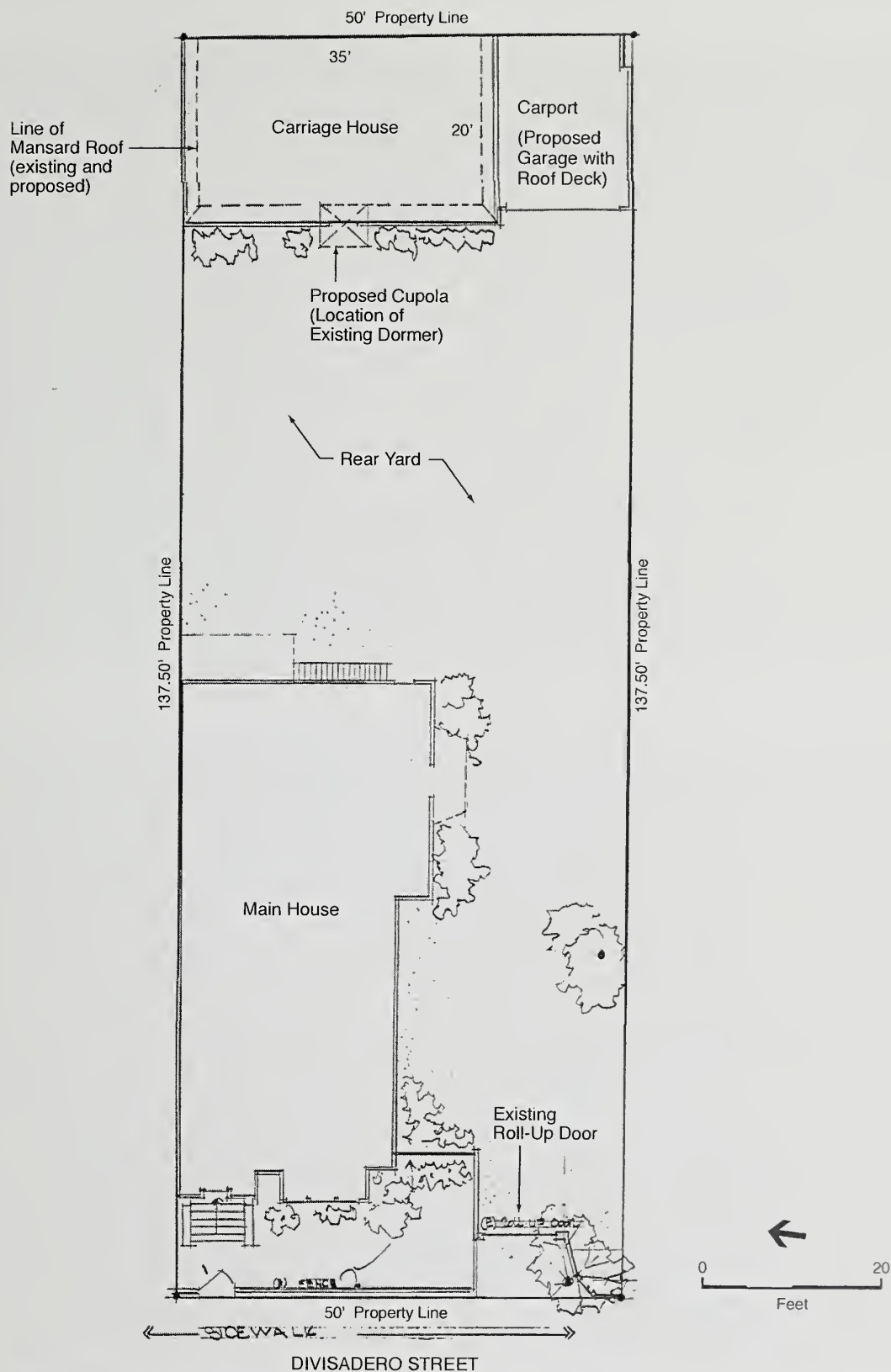
⁸ Planning Department Case Report No. 88.755V, an application for a rear yard variance to legalize the use of the carriage house as a second residential unit on the project site, May 18, 1989. Although the case report notes that the carriage house had been in use as a residential unit for some 25 years, no permit for this use had ever been issued. The variance to legalize the dwelling unit was granted, subject to the condition that existing property-line windows on the east wall of the carriage house be removed and replaced with opaque-glass clerestory windows, with a sill height of 6 feet, 6 inches. Because this condition was never satisfied (i.e., the property-line windows remain), the 1989 variance is invalid, and the use of the carriage house as a residential unit was, therefore, not legal. As part of the proposed project, the sponsor would, therefore, request a new rear yard variance to achieve compliance with Planning Code requirements for setbacks and open space.



SOURCES: Environmental Science Associates; San Francisco Planning Department
Map © 2002 California State Automobile Association. Used by permission.

Case No. 2001.1056E: 280 Divisadero Street . 203259

Figure 1
Project Location



SOURCE: Richard Zillman, Project Sponsor

Case No. 2001.1056E: 280 Divisadero Street . 203259

Figure 2
Site Plan (Existing and Proposed)

The carriage house is currently vacant; reportedly, the building was last occupied in 1981. At the time the project sponsor purchased the property in 1994, the carriage house was in a serious state of disrepair. Since the current owner acquired the property, the permit history indicates the carriage house has not undergone any major renovations or upgrades, and it has not been occupied as a residential unit since that time. The existing balloon framing⁹ has sustained dry rot. The front (west) wall of the carriage house sags perceptibly at its center, indicating structural deficiencies, and the front wall also has sustained damage due to dry rot. Figure 3, p. 13, presents photographs of the front façade of the carriage house; the sag in the roofline is evident in the upper photograph. Figure 4, p. 14, depicts photographs of the building interior.

B. Project Characteristics

The project sponsor owns and lives in the main house on the project site, and proposes to use the carriage house as a second residential unit. The work to be performed was originally defined as rehabilitation of the carriage house while retaining some existing features of the building. Based on the proposed scope of work, Planning staff has determined that the project would be considered “demolition” of the carriage house under the standards set forth in Article 10 of the Planning Code, Preservation of Historical Architectural and Aesthetic Landmarks.¹⁰ Planning Code Section 1005(f) defines demolition, for purposes of Article 10, as (1) removal of more than 25 percent of the surface of all external walls facing a public street(s); (2) removal of more than 50 percent of all external walls from their function as all external walls; (3) removal of more than 25 percent of external walls from function as either external or internal walls; *or* (4) removal of more than 75 percent of the building’s existing internal structural framework or floor plates (unless the City determines that such removal is the only feasible means of achieving the seismic standards of the Building Code). Planning staff has determined that the proposed project would fall within the definition of Section 1005(f). Planning Department preservation planning staff, based on its review of plans and the project description submitted to date, has concluded that it appears that either or both of conditions 1 and 4 apply.

According to the project sponsor, several major alterations are required before both levels of the carriage house can be occupied as a legal residential unit, as follows:

- A complete new perimeter foundation would be installed, which would require that the lowest two courses of siding on the front (west, or Divisadero Street) façade be permanently removed, so that upon completion, the lowest siding board on all four façade would be about 18 inches above the ground (at present, the lowest course of siding is partially buried in the dirt);

⁹ Balloon framing refers to a building framing method, common in the 18th and early 19th centuries, in which studs (the vertical members in the wall) run the entire height of a building (generally no more than two stories), without intervening horizontal beams at the second floor level. Balloon framing is contrasted with the now more-common platform framing, in which the walls of each floor are framed separately.

¹⁰ Based on current Building Code standards, the proposed project is not anticipated to be defined as “demolition” by the Department of Building Inspection.



A. Front (Western) Facade of Carriage House (Note sag towards center of roofline.)



B. Carriage House and Garage

SOURCE: Environmental Science Associates

Case No. 2001.1056E: 280 Divisadero Street . 203259

Figure 3
Photographs of Carriage House



A. Damaged Structural Framing



B. Sunlight Visible through Exterior Siding

Case No. 2001.1056E: 280 Divisadero Street . 203259

SOURCE: Environmental Science Associates

Figure 4
Carriage House Interior

- New structural framing would be installed to supplement or replace the existing balloon framing;
- The front (west) façade siding would be completely removed at least up to the second floor level, as well as at least some of the structural framing to which it is attached, in order to repair and replace rotten and compromised structural framing. The second floor level of the siding may be able to be left undisturbed;
- Exterior siding would be reused where feasible, based on condition; however, the sponsor estimates that at least 80 percent of the exterior on the front (west) façade would need to be removed and replaced in order to make the building structurally sound;
- The south side of the building also has dry-rot in the framing that would be replaced. The north side has an exterior door that would be removed, and the opening in the wall closed. (The door would be re-installed for appearance.) In addition, this side and the rear (east) façade must, like the front, have the lower courses of the siding removed to accommodate the new concrete foundation;
- The existing siding would be removed to allow for installation of a vapor barrier, reinstalled where condition permits, and replaced where necessary;
- The shingles on the mansard roof, which are aging and are falling off, would be replaced;
- New utilities would be installed, including water lines for both potable water and fire sprinklers, sewer and storm drainage lines, natural gas, and electrical, telephone, and cable service – all of which must be installed from the front of the lot at Divisadero Street;
- New window openings and new or enlarged windows and doors would be installed to provide adequate light; and
- Decorative elements that the project sponsor believes would present as attractive a façade as possible would be added to the front (west) façade.

With completion of the proposed project, the carriage house would be a second legal dwelling unit on the project site.¹¹ Because the prior residential use of the carriage house was never permitted, and was reportedly abandoned as of 1981, the project proposes to make the residential use a legal, permitted use for the first time.

In addition to the above major alterations, a new front door would be installed, and the existing large doorway to the south (right, when viewed from the front) of the front door would be removed and replaced with a divided-light wood sash window; a matching window would be installed to the north (left) of the front door. The sponsor also proposes to remove and replace the existing non-historic

¹¹ As discussed in detail below (p. 21), the project site is zoned NC-2 (Small-Scale Neighborhood Commercial) and could accommodate up to nine dwelling units based on the zoning district and the size of the site.

aluminum-frame sliding door at the second-story dormer with a new wood sash window. The dormer would be altered to make it narrower and to allow for the window opening to be raised,¹² intended to provide both a more usable floor plan and more natural light at the second floor. In addition, a new pyramidal cupola would be placed above the reconfigured dormer as a decorative element. Two new oval-shaped wood sash windows would be installed in the western slope of the existing Mansard roof; the roof would be re-covered with new roofing material and, except for the cupola and chimney additions, would retain its existing profile.

The primary new exterior material would be “channel rustic”¹³ wood siding, as at present. Where feasible, based on the condition of the existing siding, this material would be reused. However, the project sponsor estimates that at least 80 percent of the ground-floor siding on the principal (west) façade would have to be replaced as some of the siding is known to have dry rot. (Figure 4, p. 14, photo A, shows dry rot on the south wall, while photo B in Figure 4 shows light visible through the existing siding.) Therefore, the existing siding would be removed from the framing system to allow for the installation of both insulation and a new vapor barrier, then reinstalled, where feasible, based on condition, and replaced, in kind, where necessary. New decorative wood trim would be introduced around the new doors and windows, along a new horizontal trim line between the first and second floors, and at the corners of the building. Wood sash windows would be installed, including the two new oval windows in the west (front) wall of the Mansard roof, which are intended to provide more natural light than at present to the second floor. A new outside deck would be constructed atop the attached carport, at the second floor of the structure, with a wooden railing along the three sides not adjacent to the south wall of the carriage house. A new doorway to the deck would replace two existing windows in the south wall of the Mansard roof. (The non-historic carport would be converted to a garage by the installation of a roll-up garage door.) A new chimney, visible above the roofline, would be placed near the southwest corner of the carriage house to allow for installation of a wood stove or fireplace. The sponsor proposes additional new detailing, including a new decorative iron cresting along the roofline and a weathervane atop the cupola, a decorative windscreen adjacent to the new deck, and architectural elements, including a small gazebo on the deck and carved wooden posts with finials surrounding the deck.

The project would also include installation of new utilities, including pumps for wastewater and storm water.¹⁴ As noted, the existing single-car carport would be converted to an enclosed garage by installation of a new garage door and reframing of the roof, on top of which would be placed the proposed roof deck. Parking capacity would remain the same as at present; that is, parking for one vehicle in the garage (existing carport). The square footage (approximately 1,300 square feet) and height of the carriage house (currently about 22 feet) would be unchanged from its present condition, with the exception of the new

¹² At present, the second-story window is at floor level. However, the Building Code requires windows to be at least 18 inches off the floor, unless safety glazing is to be used (Simon Tam, Technical Services Division, Department of Building Inspection, telephone conversation, February 6, 2004).

¹³ Channel rustic siding is beveled so that there is a depressed horizontal channel about one inch high between each board.

¹⁴ Because the project site slopes downward from the west, the carriage house, at the rear of the lot, is below the grade of Divisadero Street, and pumps would be required to move wastewater and storm water upgrade to the utility lines in the street.

cupola, or tower, which would rise about 9 feet above the existing roofline. (A new chimney would also be added.)

Excavation to a depth of approximately 4 feet would be required for construction of the new foundation and for installation of utilities that would run to the carriage house from Divisadero Street. It is not anticipated that any substantial amount of soil would be removed from the site.

Figure 5, p. 18, shows a simplified line drawing of the front (west) façade of the carriage house, as its major massing features would appear with the changes proposed by the project sponsor. Figure 6, p. 19, depicts the existing front façade of the carriage house, with the major changes proposed by the project indicated by dashed lines, to allow for comparison between the existing and proposed conditions. Figure 7, p. 20, depicts a more detailed rendering of the proposed front façade, as submitted to the Landmarks Preservation Advisory Board.

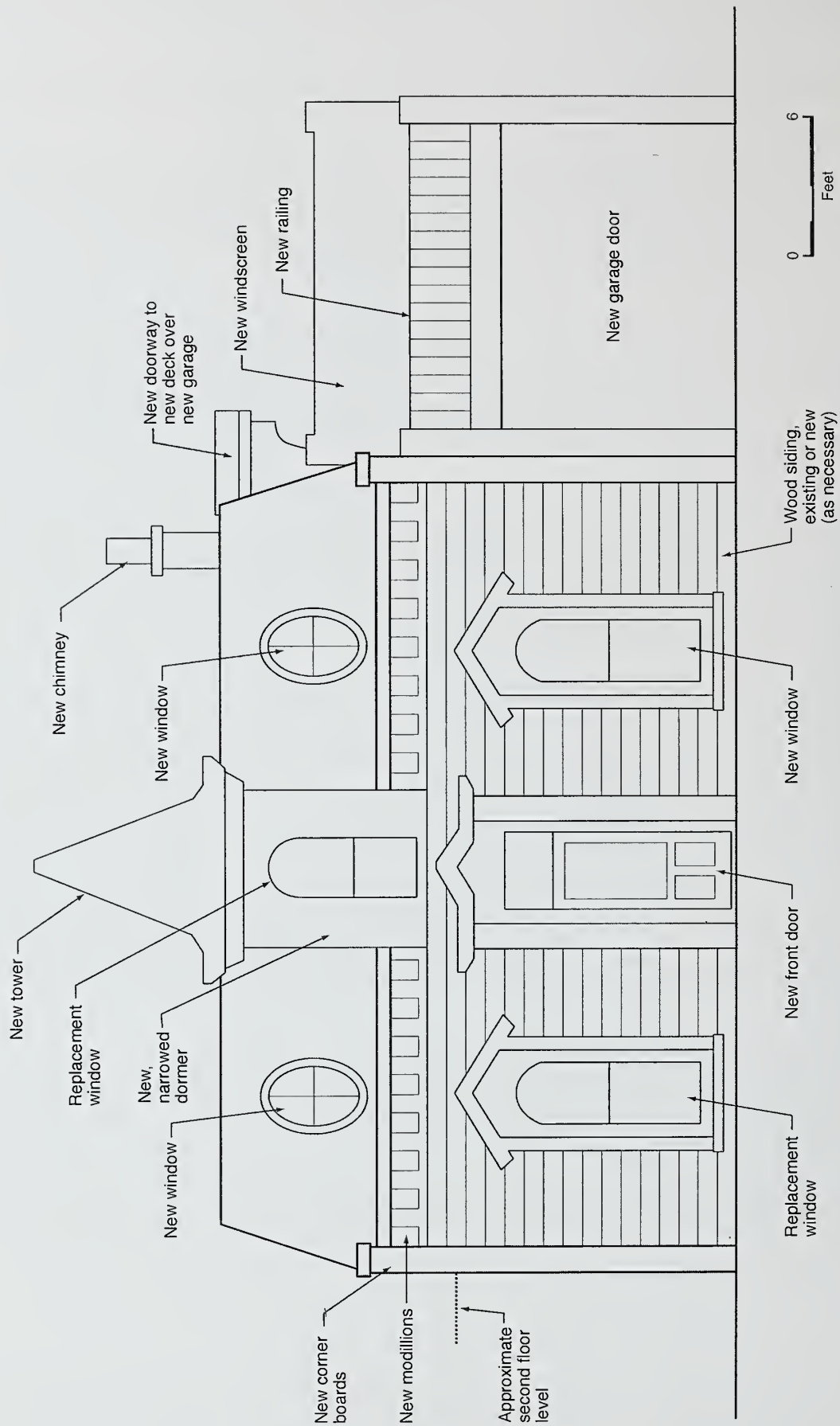
As discussed above, the extent of the proposed work is substantial enough that the Planning Department considers the proposed project to be demolition and new construction, under the Planning Code.

C. Project Sponsor's Objectives

The sponsor seeks to achieve the following objectives in implementing the proposed project.

- Convert the carriage house into a residential unit by undertaking alterations to the building;
- Ensure that the project results in an attractive structure, and does not, in the sponsor's opinion, resemble a barn-like structure;
- Provide for adequate interior light in the dwelling unit by the use of relatively tall first-floor windows and the addition of new west-facing windows in the mansard roof at the second-story level that would allow both floors within the dwelling unit to receive the best-quality, "high" natural light;¹⁵
- Make alterations, particularly on the west (front) façade, in order to maximize the enjoyment of the future occupants and their willingness to pay a rent that would provide a reasonable return on investment;
- Create a design for the new structure consistent with the Second Empire-style architectural features of the main house, including retaining the mansard roof of the carriage house and adding certain architectural features and decorative elements, such as doors and arched windows surmounted by pediments and flanked by columns, a cupola, decorative wood trim and iron work;

¹⁵ The west, or front, façade of the carriage house is the only suitable location for new ground-floor windows, as the north and east elevations are at the property line—where existing openings may have to be closed—and the south elevation faces the carport at the ground level. (Skylights may be used at the upper story, but would not provide much light at the ground floor.)

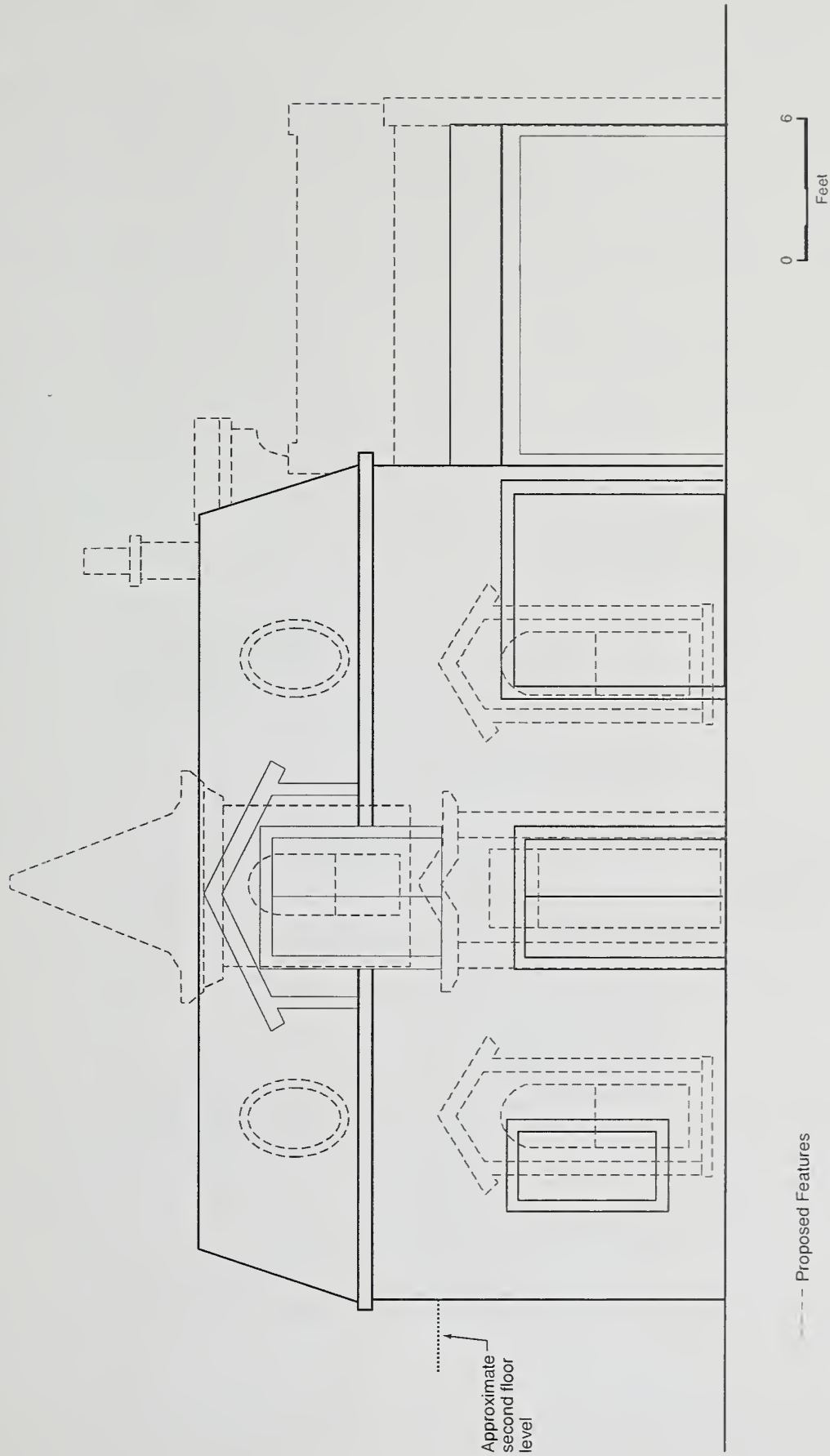


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Figure 5

Proposed Elevation of Carriage House
Showing Major Massing Characteristics

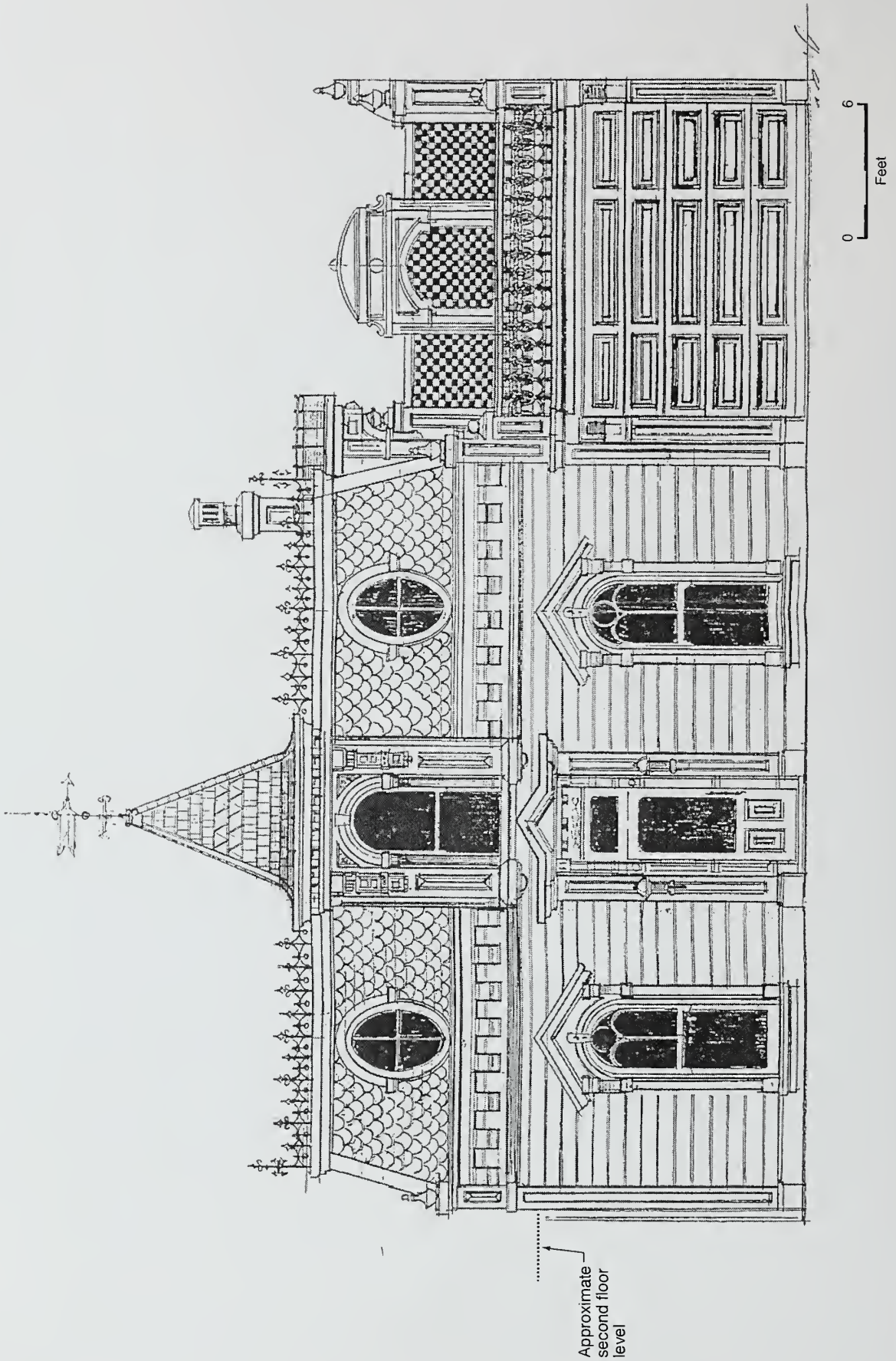
SOURCE: Richard Zillman, Project Sponsor; ESA



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Figure 6
Existing Elevation with
Major Features of Proposed Design

SOURCE Richard Zillman, Project Sponsor, ESA



SOURCE: Richard Zillman, Project Sponsor

Case No. 2001.1056E: 280 Divisadero Street . 203259
Figure 7
 Front Elevation Rendering of Proposed Project
 Showing Details of Proposed Decorative Elements

- Stabilize and structurally enhance the carriage house structure; and
- To “create an end product that looks and functions as an attractive, functional, historically sensitive house ... where real people are going to be living.”¹⁶

D. Project Approval Requirements and General Plan Policies

This EIR will undergo a public comment period as noted on the cover, including a public hearing before the Planning Commission on the Draft EIR. The Landmarks Preservation Advisory Board will also hold a public hearing to take public comment to aid the Board members in formulating their comments on the Draft EIR. Following the public comment period, responses to written and oral comments will be prepared and published in a Draft Comments and Responses document. The Draft EIR will be revised as appropriate and, with the Draft Comments and Responses document, will be presented to the Planning Commission for certification as to accuracy, objectivity, and completeness. No approvals or permits may be issued before the Final EIR is certified.

Approvals

As noted previously, the Landmarks Board considered the project in 2002 and was unable to achieve a majority vote either in favor of or against the proposal for a Certificate of Appropriateness. At the time of the consideration of the Certificate of Appropriateness by the Landmarks Board, the proposed project was defined as rehabilitation of the carriage house for residential use. Subsequently, the Planning Department preservation staff determined that the proposed project would result in a demolition (under the standards set forth in Planning Code Article 10), rather than a rehabilitation of the carriage house. Given the change in how the proposed project is defined, the Planning Commission, with advice of the Landmarks Preservation Advisory Board, must approve a Certificate of Appropriateness for demolition of the carriage house, a portion of a City Landmark, and new construction on the landmark site. Consideration of the Certificate of Appropriateness by the Landmarks Board and the Planning Commission will follow completion of the CEQA review process.

The project would require approval of a variance to permit the proposed changes to the carriage house and its use as a second dwelling unit on the project site, because the carriage house is located within the required rear yard open space of the main house. As noted above, a rear yard variance was granted in 1989, but a condition attached to the variance was not implemented. Therefore, residential use of the carriage house has never been authorized under the Planning Code. A building permit would also be needed.

The San Francisco Planning Code implements the San Francisco General Plan, and governs permitted uses, densities and configuration of buildings within San Francisco. The Code incorporates by reference

¹⁶ Richard Zillman, project sponsor, “Comments on the Landmarks Preservation Advisory Board Case Report for hearing on September 18, 2002.” Unpublished material, available for review by appointment at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in file 2001.1056E.

the City Zoning Maps. Permits to construct new buildings or to alter or demolish existing ones may not be issued unless the proposed project conforms to the Planning Code or an exception is granted pursuant to provisions of the Code.

The site is located within a NC-2 (Small-Scale Neighborhood Commercial) Zoning District that extends along both sides of Divisadero Street from Haight Street north to O'Farrell Street. The nearest residential district is a RM-3 (Residential, Mixed – Medium-Density) Zoning District that encompasses the eastern portion of the block on which the site is located.

The NC-2 district “is intended to serve as the City’s Small-Scale Neighborhood Commercial District. These districts are linear shopping streets which provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2 districts are commonly located along both collector and arterial streets which have transit routes.”¹⁷ Residential units are a principal permitted use in the NC-2 district; the permitted residential density in a NC-2 district is one dwelling unit per 800 square feet of lot area, meaning that the maximum density on the project site is nine units. The NC-2 district also permits a variety of retail uses at the ground floor (less than 4,000 sq. ft. in floor area unless conditional use authorization is obtained). No retail space is proposed with the project. The project would comply with the land use controls.

The project site is within a 40-X height and bulk district (40-foot height limit; no bulk limit). The project would comply with the height and bulk requirements.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which, among other things, established eight Priority Policies. These policies are: preservation and enhancement of neighborhood-serving retail uses; protection of neighborhood character; preservation and enhancement of affordable housing; discouragement of commuter automobiles; protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; earthquake preparedness; landmark and historic building preservation; and protection of open space. Prior to issuing a permit for any project that requires an Initial Study under the California Environmental Quality Act (CEQA), or adopting any zoning ordinance or development agreement, and before taking any action that requires a finding of consistency with the General Plan, the City is required to find that the proposed project, legislation, or action is consistent with the Priority Policies. The motion by the Planning Commission approving or disapproving the project will contain the analysis determining whether the project is in conformance with the Priority Policies.

¹⁷ San Francisco Planning Code, Section 711.1.

General Plan

The San Francisco General Plan, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. The Planning Commission would review the project in the context of applicable objectives and policies of the General Plan. The project site is not within any of the adopted Area Plan areas of the General Plan.

Among the General Plan objectives and policies relevant to the proposed project are Objective 1 of the Housing Element regarding provision of new housing, and Policies 1.2 (encourage new, especially affordable, housing in neighborhood commercial areas) and 1.4 (supporting infill housing), and Urban Design Element Policies 2.4 (preservation of landmarks), 2.5 (use care in remodeling older buildings), and 2.6 (respect older nearby development in design of new buildings).

A conflict with a General Plan policy does not, in itself, indicate a significant effect on the environment. To the extent that physical impacts may result from such conflicts, such physical impacts are analyzed by topic in this EIR and the Initial Study (see Appendix A, beginning on pp. A-11). The General Plan contains many policies, which may address different goals. The Planning Commission, in deciding whether to approve the project, must decide whether, on balance, the project is consistent with the General Plan. The compatibility of the project with General Plan policies that do not relate to physical environmental issues will be considered by decision-makers as part of their decision whether to approve or disapprove the proposed project and any potential conflicts identified as part of that process would not alter the physical environmental effects of the proposed project.

Other Plans

Environmental plans and policies, like the Bay Area Air Quality Management District's *Clean Air Plan*, directly address physical environmental issues and/or contain standards or targets that must be met in order to preserve or improve specific components of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

CHAPTER III

Environmental Setting and Impacts

An application for environmental evaluation for the project was filed on June 26, 2003. On the basis of an Initial Study published on March 20, 2004, the San Francisco Planning Department determined that an Environmental Impact Report (EIR) was required. The Initial Study determined that the following effects of the project would be either insignificant or would be reduced to a less-than-significant level by mitigation measures included in the project, and thus required no further analysis: land use; visual quality/urban design; population and housing; transportation; noise; air quality, including shadow and wind; utilities/public services; biology; geology/topography; water; energy/natural resources; archaeological resources; and hazards. (See Appendix A for the Initial Study; see also Section III.D, Other Items Not Included in the Initial Study, p. 40.) Therefore, the EIR does not discuss these issues.

Issues found to be potentially significant in the Initial Study are potential effects on historical resources. They are evaluated in this chapter.

A. Historic Architectural Resources

Setting

CEQA Section 21084.1 states that “a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” A “historical resource” is defined as one that is listed in, or determined eligible for listing in, the California Register of Historical Resources. In addition, a resource that (i) is identified as significant in a local register of historical resources, such as Article 10 and Article 11 of the San Francisco Planning Code, or (ii) is deemed significant due to its identification in an historical resources survey meeting the requirements of Public Resources Code Section 5024.1(g), is presumed to be historically significant “unless the preponderance of the evidence demonstrates that the resource is not historically or culturally significant.” CEQA Section 21084.1 permits a lead agency to determine that a resource constitutes a historical resource even if the resource does not meet the foregoing criteria.

The project site contains two structures: a four-story single-family dwelling (the “main house”) and a two-story building that originally served as a carriage house for the property (the “carriage house”). The upper floor of the carriage house was converted to an unpermitted second residential unit at some time prior to 1964;¹⁸ the residential use was apparently abandoned around 1981. The project site, including

¹⁸ As noted previously, the project sponsor asserts that the carriage house was used as residential on both floors.

both structures and the entire lot, is City Landmark No. 190,¹⁹ the Charles L. Hinkel House and Carriage House, named after the builder. The main Hinkel House was rated “3” in the 1976 citywide architectural survey, and is also included, with the carriage house, in the 1968 Junior League-publication *Here Today*.

The Landmarks Preservation Advisory Board (LPAB) case report for the landmark designation, fully incorporated by reference in the 1988 designating ordinance as to the description, characteristics justifying Landmark designation, and features that should be preserved, contained the following Statement of Significance:

The Charles L. Hinkel Residence is significant in architecture, history, interior and environmental qualities as detailed [in the case report]. Constructed in 1885 as the personal residence of Charles L. Hinkel, 280 Divisadero Street is an unusual example of transitional French Second Empire residential architecture. Hinkel was a member of San Francisco’s prominent four generation family of house builders/land developers. Together, their efforts significantly contributed to the development of this city. Charles L. Hinkel reserved a large size lot to build his residence at 280 Divisadero. Attention was paid to quality design, with finished detailing appearing on side and rear elevations. Interior finishings were of the quality a successful builder would select for his own home. The large lot allowed space for landscaping and a carriage house, completing the presentation of an intact nineteenth century residence.

Project Site

Both the main house and carriage house were constructed in 1885 by Charles L. Hinkel, a member of a prominent and prolific developer-builder family in late 19th and early 20th century San Francisco. Hinkel and four of his five brothers – sons of a German immigrant carpenter who moved from Illinois to San Francisco in about 1850 – eventually became “owner builders,” members of a group of carpenters who bought land, built homes, and then sold them to members of the City’s growing middle-class, beginning around the 1870s. Along with Charles, brothers George, John, Henry, and William Hinkel all worked at the same profession. Some of them worked together (although Charles, the oldest brother, apparently avoided working with his brothers), but each is credited with having been the builder of a number of homes, mostly in the Western Addition and Castro neighborhoods. Together, the Hinkel brothers constructed hundreds of houses.²⁰

¹⁹ Designation of a property as a city landmark requires approval by the Board of Supervisors of a designating ordinance.

²⁰ Most of the material in this paragraph is from a paper written in 1979 by Jack Leahy, who owned 280 Divisadero Street from 1973 to 1981. During that time, Leahy undertook substantial restoration on the main house while renting out the carriage house. He also researched the history of the property. Other sources include: Waldhorn, Judith Lynch and Sally B. Woodbridge, *Victoria’s Legacy: Tours of San Francisco Bay Area Architecture*. San Francisco: 101 Productions, 1978, and Woodbridge, Sally B., John Woodbridge, FAIA, and Chuck Byrne, *San Francisco Architecture: The Illustrated Guide to Over 1,000 of the Best Buildings, Parks, and Public Artwork in the Bay Area*. San Francisco: Chronicle Books, 1992. The Leahy paper is available for review by appointment at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in file 2001.1056E.

In addition to its French Second Empire styling, the LPAB case report found, the wood-frame home was of excellent design quality and contained “ornate original interior detailing mostly intact.” The Hinkel house was among the earliest structures developed on its block. The importance of 280 Divisadero Street as a visual landmark – “its large landscaped lot and intact, unusual design, a conspicuous and familiar structure in the context of the neighborhood,” according to the case report – along with its association with Charles Hinkel himself and his importance as an early San Francisco developer and builder, all supported the Landmark designation, according to the case report. The case report further stated that, with the unusually large lot, “the building and original carriage house convey an intact view of nineteenth century upper middle class life style.”

The carriage house is not visible from the street because of the presence of a wooden fence and garage door between the main house and the adjacent property to the south (see photo B in Figure 8). Based on historic photos, this fence apparently was built some time during the 1970s or 1980s. Although the carriage house is directly behind the main house, portions of the carriage house likely were visible from the sidewalk before the current wood fence was erected.²¹

The carriage house is two stories tall, with the second floor contained in the space enclosed by the Mansard roof and dormer, and is clad in wood siding. Located at the rear of the project site, the carriage house presents its main (western) façade towards the rear of the main house (see Figure 3, p. 13). Its rear (east) façade sits on the site’s rear property line, facing the lot to the east, and includes three property-line windows on the ground floor that look out to the neighboring parcel, and two additional property-line windows on the second floor.²² The north façade, at the project site’s northern property line, faces the neighboring parcel to the north; this wall contains a track-mounted sliding door.²³ The south façade is partially obscured by the carport, a later addition. Windows set into the Mansard roof and into the southern wall of the building face out over the carport; according to the project sponsor, these windows are not original. No changes for which a permit was issued have occurred to the carriage house since its designation as a landmark in 1988.

According to a 2004 assessment of the carriage house by a Planning Department preservation technical specialist, the character-defining features of the building are:

the size and location of the building on the lot, the mansard-shaped roof, the horizontal shiplap siding, the original 4/4 wood double-hung window in the first building bay, an opening wide enough to admit the entry of a carriage and the second floor opening to the

²¹ A photo from the book *Here Today*, by the Junior League of San Francisco (San Francisco: Chronicle Books, 1968) shows the project site without the fence, while a photo from *Landmarks of San Francisco*, by Patrick McGrew (New York: Harry N. Abrams, 1991) shows the current fence in place. Photos are available for review by appointment at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, in Case File No. 2001.1056E.

²² The rear façade does not have a Mansard roof, but instead is a single plane from the ground to the flat roof.

²³ The property-line door to the north hints that the Hinkel parcel may have been larger at the time of original construction. It is not clear that the rear windows are original.



A. Main House Viewed from Across Divisadero Street



B. Main House Showing South Facade and Garage Door

SOURCE: Environmental Science Associates

Case No. 2001.1056E: 280 Divisadero Street . 203259

Figure 8
Main House

hayloft (although the openings themselves may be partially infilled), and the horizontal pole above the hayloft opening from which to hang a pulley.²⁴

Historic Significance

For purposes of CEQA Section 21084.1, Article 10 of the Planning Code contains an adopted “local register of historical resources, as defined in subdivision (k) of [Public Resources Code] Section 5020.1,” which defines such a register as “a list of properties officially designated or recognized as historically significant by a local government pursuant to a local ordinance or resolution.” Because the entire project site, including both buildings (main house and carriage house) and the remainder of the site grounds, constitutes a designated City Landmark (i.e., listed on a local register of historical resources), the entire site and both buildings are presumed to constitute a historical resource for purposes of the California Environmental Quality Act. In July 2004, a Planning Department preservation technical specialist determined that the carriage house retains integrity as to the seven of the facets commonly considered by architectural historians: location, design, materials, workmanship, setting, feeling, and association (with the exception of a “slightly diminished design integrity”).²⁵ Because it retains sufficient integrity as to its contribution to the designated landmark, the carriage house, the subject of this EIR, is a contributing element of the landmark, and therefore the carriage house is considered a historical resource under CEQA.

The project sponsor has disputed the Planning Department’s assessment of integrity of the existing carriage house, arguing that “most of the original fabric is either changed or is totally absent”; that the “overall workmanship rating of the structure ranges from average [as to the original structure] to fair-to-poor, as to the subsequent remodeling”; that the setting has been altered because the carriage house is no longer visible from the street; that an observer “definitely does not get the feeling that the carriages and hay wagon might be due back any minute”; and that the integrity of the building is, therefore, low.

National Register of Historic Places / California Register of Historical Resources

The buildings on the project site have not been evaluated for eligibility for listing in the National Register of Historic Places or the California Register of Historical Resources,²⁶ and are not listed in the California

²⁴ N. Moses Corrette, Preservation Technical Specialist, memorandum to Nannie R. Turrell, Major Environmental Analysis Unit, July 12, 2004. This memorandum is included in Appendix D.

²⁵ N. Moses Corrette, Preservation Technical Specialist, memorandum, July 12, 2004 (see footnote 24, above). The seven aspects of integrity are incorporated into guidance for identification of eligibility for the National Register of Historic Places and the California Register of Historical Resources; to be eligible for these registers, a resource must have historic importance and maintain sufficient integrity to convey that importance.

²⁶ Listing on the National Register of Historic Places requires that a property meet one or more of the four specific criteria associated with a significant theme or pattern in the history, architecture, archaeology, engineering, or culture of an area. A property may possess significance for its association with events that have made a significant contribution to the broad patterns of American history (Criterion A), its association with significant persons in U.S. History (Criterion B), its embodiment of a type, period, or method of construction or for aesthetic values, or its representation of the work of a master (Criterion C), or its yielding or potential to yield important information in prehistory or history (Criterion D) (36 CFR 60.4). Criteria for the California Register of Historical Resources are similar, but more specific to state history. For example, the first criterion under California Register eligibility includes association “with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage” (Cal. Public Resources Code §5024.1(c)). Because the project site has not been evaluated for the National Register does not mean that it could not be, in the future.

Historical Resources Information System Directory of Properties for San Francisco County,²⁷ which is maintained by the State Office of Historic Preservation (OHP).

Impacts

Significance Criteria

CEQA Section 21084.1 states that “a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.” A “historical resource” is defined as one that is listed in, or determined eligible for listing in, the California Register of Historical Resources, one that is identified as significant in a local register of historical resources, such as Article 10 and Article 11 of the San Francisco Planning Code, or one that is deemed significant due to its identification in an historical resources survey meeting the requirements of Public Resources Code Section 5024.1(g). A “substantial adverse change” is defined in Section 15064.5(b)(1) of the state CEQA Guidelines as “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.” The significance of a historical resource is “materially impaired,” according to Guidelines Section 15064.5(b)(2), when a project demolishes or materially alters, in an adverse manner, those physical characteristics of the resource that:

- convey its historic significance and that justify its inclusion in, or eligibility for inclusion in, the California Register of Historical Resources (including a determination by the lead agency that the resource is eligible for inclusion in the California Register);
- account for its inclusion in a local register of historical resources adopted by local agency ordinance or resolution (in accordance with Public Resources Code Sec. 5020.1(k)); or
- account for its identification in a historical resources survey that meets the requirement of Public Resources Code Sec. 5024.1(g), including, among other things, that “the resource is evaluated and determined by the [State Office of Historic Preservation] to have a significance rating of Category 1 to 5 on DPR Form 523,” unless the lead agency “establishes by a preponderance of evidence that the resource is not historically or culturally significant.”

²⁷ The CHRIS Directory of Properties is OHP’s inventory of properties listed on the National Register of Historic Places, California Register of Historical Resources, California Historical Landmarks, and California Points of Historical Interest.

The state CEQA Guidelines state that projects that are consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* or the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* generally “shall be considered as mitigated to a level of less than a significant impact on the historic resource” (Section 15064.5(b)(3)). In general, it is the *Standards for Rehabilitation* that are most commonly employed and evaluated in the context of CEQA review. According to the Secretary’s *Standards for the Treatment of Historic Properties*, of the four “treatments” for historic properties, Rehabilitation “is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.”²⁸ Preservation, according to the *Standards for the Treatment of Historic Properties*, entails a lesser level of intrusion, focusing on stabilization and ongoing maintenance and repair, and does not allow for exterior additions. Restoration and Reconstruction, according to *Standards for the Treatment of Historic Properties*, both aim to depict the key form and features of a property from a specific time, generally its most important period of history; the differences between these two treatments generally depend on the degree to which the historic fabric of the resource is extant.

In summary, the *Secretary of the Interior's Standards for Rehabilitation* (“Secretary’s Standards”)²⁹ call for:

- 1) a property to be used as it was historically or placed in a new use that “requires minimal change to [its] defining characteristics”;
- 2) preservation of historic character, including historic materials, features and spaces;
- 3) avoiding creation of “a false sense of historical development”;
- 4) recognizing and preserving changes that have become historic over time;
- 5) preservation of distinctive features and construction techniques or craftsmanship;
- 6) repair, rather than replacement of deteriorated historic features, where feasible;
- 7) foregoing harsh chemical or physical treatments to avoid damage to historic materials;
- 8) preservation of significant archeological resources;
- 9) undertaking additions and alterations, where necessary, that do not destroy historic materials, that differentiate new from old, and that are compatible with historic materials, features and spaces; and
- 10) designing additions such that, if later removed, the property would retain its historic integrity.

For a project that would not be consistent with the Secretary’s Standards, the impact evaluation must determine whether the proposed changes would constitute “physical demolition, destruction, relocation,

²⁸ Kay D. Weeks and Anne E. Grimmer, *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*, National Park Service, Washington, D.C., 1995; p. 61.

²⁹ The Secretary’s Standards are presented in their entirety in Appendix B.

or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.”

Impacts of the Proposed Project

As noted in the setting discussion above, the entire project site and the buildings thereon are presumed to be a historical resource for purposes of CEQA. The carriage house is a contributing element of the designated landmark and, therefore, the carriage house is considered a historical resource under CEQA. The proposed project would involve work only at the location of the carriage house; no changes to the main house are proposed. However, the proposed construction of a new structure at the site of the carriage house could affect the remainder of the landmark site, including the main Charles Hinkel House, and the 19th-century relationship of the two structures, and therefore this impact is also evaluated.

The project would involve “new construction” because the proposed alterations to the carriage house are considered “demolition” under the Planning Code. Article 10 of the Planning Code, *Preservation of Historical Architectural and Aesthetic Landmarks*, Section 1005(f), states:

For purposes of this Article 10, demolition shall be defined as any one of the following:

- (1) Removal of more than 25 percent of the surface of all external walls facing a public street(s); or
- (2) Removal of more than 50 percent of all external walls from their function as all external walls; or
- (3) Removal of more than 25 percent of external walls from function as either external or internal walls; or
- (4) Removal of more than 75 percent of the building’s existing internal structural framework or floor plates unless the City determines that such removal is the only feasible means to meet the standards for seismic load and forces of the latest adopted version of the San Francisco Building Code and the State Historical Building Code.

Planning Department preservation staff has determined, based on its review of plans and the project description, that it appears that either or both of conditions 1 and 4, above, apply, and that the proposed project would, therefore, fall within the definition of Section 1005(f), meaning that the proposed project would result in the demolition of the carriage house, a historical resource under CEQA. The proposed demolition of this historical resource is considered a significant impact that cannot be mitigated to a less-than-significant level.

Once it had been determined by Planning staff that the alterations to the existing building would constitute demolition under the standards set forth in Article 10, a second component of the analysis was necessary to evaluate the impact of the proposed new construction at the location of the carriage house on the overall landmark site. As to the effects on the overall landmark site, a disagreement exists as to whether the proposed new construction would conform to the *Secretary of the Interior’s Standards for Rehabilitation* (“Secretary’s Standards”). A review of the proposed project was conducted, as part of the EIR analysis and under contract to the EIR consultant, by an architect with experience in working with

historic buildings in San Francisco and the Bay Area.³⁰ That analysis, referred to herein as the “historic architectural review,” evaluated the consistency of the proposed new construction with the Secretary’s Standards, and determined that the proposed new structure would be generally consistent with the Secretary’s Standards. The historic architectural review appears in its entirety in this document as Appendix C, and is excerpted and summarized in this discussion. In contrast, preservation planning staff of the Planning Department determined that the proposed new structure would not be consistent with the Secretary’s Standards.³¹ The staff analysis appears in its entirety in this document as Appendix D, and is also excerpted and summarized in this discussion.

The historic architectural review describes the proposed new construction of the carriage house as follows:

The proposed project is a detached, second residential unit with an attached garage. It is, relative to main residence, a small, freestanding structure, with an exterior design that is eclectically traditional, perhaps best described as Neo-Victorian – the Victorian having famously blended various picturesque architectural styles. The dominant period characteristics – a crested French or mansard roofline with ovoid dormer windows, with the likeness of a central tower – are after the Second Empire style, apparently as a recognition of the dominant style of the historic main house. Yet, other proposed features – including doors, windows and their surrounds – are more Italianate in character. As noted, the proposed design is very eclectic and, in fact, exuberantly so. On paper, it fools the eye into perceiving it as a full size building, but it isn’t. It is a small building disguised as a big building. In this sense, coupled with its eclectic exuberance, it is an architectural fantasy.

In regard to **Secretary’s Standard No. 1**, minimal change to defining characteristics, the historic architectural review found that the proposed project would not alter the historic residential use of the landmark property, including both the main house and the carriage house. The historic architectural review notes that the carriage house had long since been converted to (unpermitted) residential use, including modifications to its exterior, and that the proposed project would maintain residential use of the overall landmark site, including the carriage house and the main house.³²

Planning Department preservation planning technical staff does not concur with the historic architectural review as to the proposed project’s consistency with Standard No. 1. The Planning Department preservation technical specialist notes that, because the residential use of the carriage house has not been officially sanctioned (i.e., no permit was issued for the residential use), and because the project would involve demolition, under the standards set forth in Article 10, and new construction of a “second primary

³⁰ Mark Hulbert, Architect & Architectural Conservator, Preservation Architecture, letter report to Environmental Science Associates, December 7, 2005. The full report is included in Appendix C.

³¹ N. Moses Corrette, Preservation Technical Specialist, Memorandum to Viktoriya Wise, Major Environmental Analysis, November 20, 2006. This memorandum is included in this document as Appendix D.

³² According to City records (Planning Department Case Report No. 88.755V, May 18, 1989), the carriage house was in use as an unpermitted residence beginning around 1964; the residential use was apparently abandoned around 1981.

edifice” that would “not maintain[] the visual appearance of a secondary structure,” and because the design of the new residential structure “is not consistent with the historic relationship of structures on the site,” the “measure of minimal change required to execute the project in order to meet this Standard is not met,” and the project would be inconsistent with Standard No. 1.³³

In terms of preservation of historic character, including historic materials, features and spatial relationships (**Standard No. 2**), none of these would be altered by the project, according to the historic architectural review. The project would not change the configuration of the landmark site: the renovated carriage house (and accessory garage) would occupy essentially the same footprint as the building does at present (including the existing carport). It would also occupy virtually the same built volume, except for the addition of the proposed central “tower” (dormer) that would be taller than the existing building. The project would not affect the original open and landscaped lot that surrounds the main house on two sides – the south and east. Thus, “Despite the impression that the design drawing presents – that of a large building – the proposed design is for a relatively small, 2-story residential unit with attached garage, placed along the rear lot line, and behind what is in reality a relatively very large and grand residence. While the proposed exterior design is expressive rather than modest, the proposed building remains subordinate to the main house,” according to the historic architectural review.

Planning Department preservation technical staff does not agree with the historic architectural review as to the proposed project’s retention of historic character: “It is true that the new building will occupy the same location and volume as the present carriage house; however, the character of the space between the two buildings will be altered.”³⁴ As proposed, the new building would not appear to be subordinate to the historic Hinkel house in any terms other than location. It would appear to be a second historical dwelling unit of equal or greater ornamentation.

Standard No. 3 calls for avoidance of “a false sense of historical development.” The historic architectural review states that the issue to consider in this case is “whether the neo-Victorian exterior design of the proposed structure would result in an edifice that may be confused as historical.” The project proposes to create an approximately 1,300-square-foot residential structure with an attached garage, thus adding an unexpected element within the traditional pattern of historical development manifest in a large 19th century residential property such as the project site, where a carriage house would be a logical and traditional component. A second residential structure instead of a carriage house, the historic architectural review states, “would not create a false sense of historical development, since it does not satisfy the historic development equation.”

Concerning the neo-Victorian exterior design, the historic architectural review states that “the project sponsor apparently intends that the design have some sense of authenticity to the historical period and property,” and therefore the potential exists to convey a “false sense of historical development.” But the historic architectural review continues that the potential for a “conjunctural” design is offset by the same

³³ N. Moses Corrette, Memorandum, November 20, 2006 (see footnote 31, p. 32.)

³⁴ N. Moses Corrette, Memorandum, November 20, 2006 (see footnote 31, p. 32.)

important characteristic noted above: the fact that the project proposes not a carriage house, but a second residential unit, a distinctly non-historic building type in the context of the historical period. The scale, form, and features of the proposed second unit would be substantially different than those of the main house, underscoring a conclusion “that this new unit is of a different time and place than that of the historical property.”

It is in regard to Standard No. 3 (avoidance of “a false sense of historical development”) that Planning Department preservation planning staff most strongly disagree with the historic architectural review. Regarding the proposed project’s potential to create a false sense of historical development, the Planning Department preservation technical specialist’s conclusion is that “the proposed new building produces a near pure textbook example of conjectural features with architectural elements applied to an acceptable volume that exceeds the complexity of a secondary structure on a landmark site.” Staff continues, “the extant carriage house is *unchanged* from the time it was formally designated as Landmark #190, and the structure itself is the historical record of the development of the site, obviating the need for any conjectural elements in the new construction” (emphasis in original).^{35,36} (The prior 2004 review by the Planning Department preservation technical specialist found, “There is no physical or other documentary evidence to demonstrate [or] to suggest that this carriage house – itself an historic resource, ever had a greater level of ornamentation than what exists today. Additional ornamentation is purely conjectural, and serves merely to disguise the historic functions of the building.”) The current Planning Department preservation technical specialist analysis concludes:

Embellishing simple unadorned façades with high-style details, or adding features borrowed from a different period should be avoided. Conjectural changes create a false sense of historical development and are contrary to the Secretary of the Interior’s Standards for Rehabilitation.[citation] The proposed project fails to meet the Standards because the construction misrepresents the historic appearance of the site. If the added features were removed [from the design], and the façade simplified in a meaningful way, the historic appearance of the ancillary structure could be reestablished and the project could meet the Standards.³⁷

Therefore, Planning Department staff determined that the project as proposed would create a false sense of historical development.

Concerning **Standard No. 5**, preservation of distinctive features and construction techniques or craftsmanship, the historic architectural review found that the project would not adversely affect any distinctive features of the landmark. Planning Department preservation technical staff concludes that this standard is not applicable to the new construction proposed by the project.

³⁵ N. Moses Corrette, Memorandum, November 20, 2006 (see footnote 31, p. 32.)

³⁶ As noted in the Setting, the project sponsor has disputed the Department’s assessment of the integrity of the carriage house, arguing, among other things, that most of the original building fabric has been altered or removed and that the setting has been altered by construction of a wall that obscures view of the carriage house from the street. The sponsor believes the integrity of the carriage house is low.

³⁷ N. Moses Corrette, Memorandum, November 20, 2006 (see footnote 31, p. 32).

With regard to **Standard No. 9** (additions or alterations that protect historic materials, differentiate new work from old, and are compatible with historic materials, features and spaces), the historic architectural review states that the proposed project would not destroy or alter any identified historic materials, features, patterns, or relationships of the property or of its primary residence. As with Standard 3, the key issue is one of differentiation and compatibility. As previously stated, the project would occupy the same location as the carriage house, thereby respecting the features and spaces of the landmark site. In terms of differentiation of new from old, the historic architectural review states that the “eclectic and exuberant” design of the proposed project would be an “earnest interpretation of the Victorian style of the historic residence,” while not mimicking the main house. “Given the fantastic character of the proposed design, there will be no one fooled into perceiving that its architecture is historical,” the historic architectural review concludes.

The Planning staff preservation technical specialist concurs that the proposed project strictly as new construction would not destroy historic materials that characterize the main house, and finds that, as a separate building, the new residential structure would be differentiated from the Hinkel House, and would be consistent with the massing, size and scale of the carriage house it replaced. However, staff states that “the design is not compatible with the architectural features of the property and its environment”³⁸ as follows.

Advice given to the applicant to simplify the design of the façade has been given by several members of the Planning Department Staff (2001-present), the Architectural Review Committee (December 19, 2001), and most attending members of the Landmarks Board hearing (September 18, 2002). The Department’s experts, the Architectural Review Committee, and the Landmarks Board all concur that the architectural features of the proposed building are more exuberant than the original elements of the carriage house, and do not reflect the elements of either a generalized ancillary building, or the main house. With the high level of ornamentation, the proposed design competes with the historic building instead of being harmonious with it, and is therefore incompatible.³⁹

Therefore, staff concluded based on its review that the project as proposed would be inconsistent with Standard No. 9.

Finally, with regard to **Standard No. 10**, designing additions such that, if later removed, the property would retain its historic integrity, the proposed changes would not be irreversible, according to the historic architectural review, because, as a separate freestanding structure, and one built on the footprint of the previous structure, the proposed new residential structure could be removed without altering the identifiable form and character of the historic property. Planning preservation technical staff concurs with the historic architectural review as to Standard No. 10.

³⁸ N. Moses Corrette, Memorandum, November 20, 2006 (see footnote 31, p. 32).

³⁹ N. Moses Corrette, Memorandum, November 20, 2006 (see footnote 31, p. 32).

Standards 4, 6, 7, and 8 are not applicable to the proposed project, according to the historic architectural review. Standard 4 addresses recognizing and preserving changes that have become historic over time, and no such changes are evident. Standard 6 concerns repair rather than replacement of historic features, which is not relevant in the context of demolition (under the standards set forth in Article 10) of the carriage house. Likewise, Standard 7 regards “foregoing harsh chemical or physical treatments.” Standard 8 concerns archaeological resources, which are not relevant to the site. Planning preservation technical staff concurs with the historic architectural review as to the inapplicability of these four standards.

In summary, the historic architectural review found that the development of a new structure at the location of the carriage house would be consistent with the Secretary’s Standards.

However, as described above, Planning Department staff does not concur with the conclusions of the historic architectural review, particularly as Department staff found that the proposed project would create a false sense of historical development. Because of the elaborate detail in the design of the new residential building proposed at the location of the carriage house, Planning staff determined that the new residential structure would no longer be secondary to the main house, as was the case in the historical relationship between the main house and the carriage house, which remains an ancillary building to the main house, because

As proposed, the new building would not appear to be subordinate to the historic Hinkel House in any terms other than location. It would appear to be a second historical dwelling of equal or greater ornamentation.

The remaining historic building [the main house] would appear as but one element of a new composition bearing little relationship to the historic appearance of the property. As a result, the historic character of the overall property and its environment would be destroyed.⁴⁰

As noted above on p. 30 in the Significance Criteria, projects that are consistent with the Secretary’s Standards generally are considered to result in no significant impact on historic resources. It does not necessarily follow, however, that lack of consistency with the Secretary’s Standards leads to a conclusion of a significant impact. The Significance Criteria include the concept that a “substantial adverse change” to a historic resource requires that the significance of an historical resource be “materially impaired” (through demolition, destruction, relocation, or alteration) such that there is demolition or material alteration of “those physical characteristics of the resource that ... account for its inclusion in a local register of historical resources adopted by local agency ordinance or resolution....”

In terms of the qualities for which the site and its buildings were designated a landmark, as noted, the Statement of Significance in the landmark case report found the property “significant in architecture,

⁴⁰ N. Moses Corrette, Memorandum, November 20, 2006 (see footnote 31, p. 32).

history, interior and environmental qualities,” as “an unusual example of transitional French Second Empire residential architecture” and of “excellent” design quality. The property was recognized for its historical connection to Charles L. Hinkel and his family, prominent San Francisco’s house builders/land developers whose “efforts significantly contributed to the development of the city,” and because the “structure dates from the earliest development of this block.” The interior was recognized as being finished with high quality materials. Finally, the “large lot allowed space for landscaping and a carriage house, completing the presentation of an intact nineteenth century residence” that “convey[s] an intact view of nineteenth century upper middle class life style.” According to the landmark case report, the large landscaped lot and the unusual Second Empire design make the property “a conspicuous and familiar structure in the context of the neighborhood.” (The property’s visual prominence is a function almost exclusively to the main house and the width of the lot, and not to the carriage house, as evidenced in views from the street that are shown in Figure 8, p. 27.)

Reviewing the above characteristics that supported the landmark designation, only the carriage house is the subject of the proposed project. While the demolition and new construction proposed by the project would not recognize the original use of the carriage house and would alter the historic relationship between the two buildings in which the carriage house was ancillary to the main house, the project would not alter the physical placement of the two structures on the grounds, nor would it alter the configuration of the site as a whole, as the new building would be at the same location and have essentially the same volume at the carriage house. The project would change the nature of the relationship of the main house to the new residential structure, which would no longer explicitly be an ancillary structure to the main house, but would be a separate residential structure.

The historic architectural review argues that neither the demolition (under the standards set forth in Article 10) of the carriage house nor the new construction at the location of the carriage house as proposed would result in alteration of the Charles L. Hinkel House and Carriage House “such that the significance of [the] historical resource would be materially impaired,” because the main house and its grounds would be undisturbed and the existing spatial relationships would be retained throughout the site. No change would be made in the “transitional French Second Empire residential architecture” of the main house, nor would there be any loss of association with Charles L. Hinkel, nor any change in the historical association of the site with early development of the subject block. Therefore, it is anticipated that the Charles L. Hinkel House and Carriage House remain worthy of its designation as City Landmark No. 190, and an argument can be made that the demolition and new construction would not adversely affect the landmark sufficiently to alter or destroy the characteristics that “account for its inclusion in a local register of historical resources adopted by local agency ordinance or resolution (in accordance with Public Resources Code Sec. 5020.1(k)).”

The Planning Department preservation staff disagrees with the above argument. Planning Department staff has determined that the demolition (under the standards set forth in Article 10) of the carriage house and the construction of a new residential structure that Planning staff has found to be inconsistent with the Secretary’s Standards for Rehabilitation, would alter the Charles Hinkel House and Carriage House such

that the historic character of the overall property, the whole of which is landmarked, and its environment would be adversely affected.

Therefore, in view of the Department's conclusion, the proposed project would result in significant adverse effects on historical resources under CEQA. Mitigation has been identified in Chapter IV that would reduce the significant effects of the demolition and new construction, but not to a less-than-significant level. The project sponsor has agreed to implement the mitigation measure set forth in Chapter IV.

National Register / California Register Criteria

Resources eligible for listing in the California Register of Historical Resources⁴¹ include buildings, structures, objects, or historic districts that: (a) retain historic integrity; and (b) are historically significant at the local, state, or national level under one or more of the following criteria:

Criterion A/1 (Event): It is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;

Criterion B/2 (Person): It is associated with the lives of persons important to local, California, or national history; or

Criterion C/3 (Architecture): It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values; or

Criterion D/4 (Informational Potential): It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, state or the nation.

Resources must have "integrity" for the period of significance. Integrity is the authenticity of an historical resource's physical identity as evidenced by survival of characteristics or historic fabric that existed during the resource's period of significance. Integrity encompasses seven aspects: location, design, materials, workmanship, setting, feeling, and association. If a resource does not have integrity, then it is not eligible for listing in the California Register of Historical Resources regardless of whether it meets any of the four criteria listed above. The buildings on the project site have not been formally evaluated for eligibility for listing in the National Register of Historic Places or the California Register of Historical Resources, and are not listed in the California Historical Resources Information System Directory of Properties for San Francisco County,⁴² which is maintained by the State Office of Historic Preservation (OHP). The proposed project would result in the loss of integrity of the Carriage House with respect to the following seven aspects: location, design, setting, materials, workmanship, feeling, and association.⁴³ By removing one of the historic buildings that comprise City Landmark No. 190 and constructing a structure that is not consistent with the Secretary's Standards, implementation of the proposed project

⁴¹ Criteria for the National Register of Historic Places are similar, but reflect importance in U.S. history.

⁴² The CHRIS Directory of Properties is OHP's inventory of properties listed on the National Register of Historic Places, California Register of Historical Resources, California Historical Landmarks, and California Points of Historical Interest.

⁴³ National Park Service, National Register Bulletin #15, "How to the National Register Criteria for Evaluation"; Section VIII, Integrity. Available on the internet at: http://www.cr.nps.gov/nr/publications/bulletins/nrb15/nrb15_8.htm.

would alter the overall property's association with late 19th century San Francisco residential development and would distance the property's relationship with Charles L. Hinkel. As such, the proposed project would result in a substantial adverse change in the integrity of the overall landmark with respect to the following three aspects: setting, feeling and association.

Certificate of Appropriateness

The discussion of significant impacts under CEQA may be distinct from the findings that would be required for the project to be granted a Certificate of Appropriateness. For a Certificate of Appropriateness to be granted, the proposed work must be found to "preserve, enhance or restore, and ... not damage or destroy, the exterior architectural features of the landmark." Furthermore, the proposed work must "not adversely affect the special character or special historical, architectural or aesthetic interest or value of the landmark and its site, as viewed both in themselves and in their setting" (Planning Code Sec. 1006.7(b)).

As noted previously, the Landmarks Board considered the project in 2002 and was unable to achieve a majority vote either in favor of or against the proposal for a Certificate of Appropriateness. At the time of the consideration of the Certificate of Appropriateness by the Landmarks Board, the proposed project was defined as rehabilitation of the carriage house for residential use. Subsequently, the Planning Department preservation staff determined that the proposed project would result in a demolition (under the standards set forth in Planning Code Article 10), rather than a rehabilitation of the carriage house. Given the change in how the proposed project is defined, the Planning Commission would hold a hearing on an application for a Certificate of Appropriateness. Prior to that hearing, the application is referred to the Landmarks Preservation Advisory Board (LPAB), which may consider the application and make a recommendation thereon to the Planning Commission (Planning Code Sec. 1006).

B. Cumulative Impacts

Project effects would be limited to the carriage house and the site of City Landmark No. 190. The project site is not within a designated or proposed historic district. The closest designated historic district to the project site is the Alamo Square Historic District, located approximately 700 feet (or about 4 blocks) northeast of the project site. The proposed project would not result in a substantial adverse change to the Alamo Square Historic District. The proposed project would not result in significant cumulative historic resources impacts because of its limited scope.

C. Growth Inducement

In general, a project would be considered growth-inducing if its implementation would result in substantial population increases and/or new development that might not occur if the project were not approved and implemented, and/or a need for new infrastructure. The proposed project would not result in growth-inducing impacts.

D. Other Items Not Included in the Initial Study

On May 23, 2006, following publication of the Initial Study, the Board of Supervisors adopted Ordinance 116-06, directing that the City employ a CEQA Initial Study Checklist based on the form included in Appendix G of the state CEQA Guidelines. Accordingly, the Planning Department has recently adopted a new Initial Study Checklist, consistent with Appendix G, but also incorporating additional questions specific to the urban environment of San Francisco. This new checklist includes some questions not included in the Initial Study for the proposed project, published on March 20, 2004. The following discussion provides information about the proposed project's effects on those issues included in the new checklist.

Transportation

The proposed project would not result in a change in air traffic patterns and, therefore, would not result in substantial safety risks related to air traffic. The project would not adversely affect any LOS standards established by the San Francisco Transportation Authority. The proposed project would not conflict with adopted policies, plans, or programs supporting alternative transportation. There are no unusual design features or uses proposed as part of the project that would substantially increase traffic hazards. Likewise, the proposed project would not result in a significant impact with regard to emergency access, as the project site is accessible from major streets, including Divisadero Street.

Noise

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip; these issues are, therefore, not addressed further. Because pile-driving is not proposed as part of the project, the project would not result in unusual levels of groundborne vibration that would be expected to disturb nearby residents or businesses, and vibration impacts would be less than significant.

Recreation

The project area is well-served by parks and recreation facilities. Recreation and Park Department properties within about six blocks of the project site include Alamo Square, Duboce Park, and Buena Vista Park, as well as Corona Heights, Koshland Park, and the Golden Gate Park panhandle. With the addition of a single residential unit, as the second dwelling unit on the project site, the proposed project would not substantially increase demand for or use of either neighborhood parks, such as those noted above, or citywide facilities such as Golden Gate Park, such that substantial physical deterioration would be expected. The incremental residential growth that would result from the proposed project would not require the construction of new recreational facilities or the expansion of existing facilities. The project would have no direct adverse effect on existing recreational facilities.

Utilities and Public Services

No new water delivery or wastewater collection and treatment facilities would be required to serve the proposed project, and the project would not result in a population increase beyond that assumed for planning purposes by the San Francisco Public Utilities Commission (SFPUC), which provides both water and wastewater service in San Francisco. Project solid waste would be collected by Sunset Scavenger Company, hauled to the Norcal transfer station near Candlestick Point, and recycled as feasible, with non-recyclables being disposed of at Altamont Landfill, where adequate capacity exists to serve the needs of San Francisco. The project site is within an urban area that is served by public services, including fire and police services, public schools, parks, and other services. Fire stations located nearby include Station 5, on Webster Street at Turk Street; Station 6, on Sanchez Street near Market Street; Station 21, on Grove Street near Broderick Street; and Station 36, on Oak Street between Gough and Franklin Streets. The San Francisco Police Department's Northern Station, at Turk and Fillmore Streets, is 12 blocks from the project site. As the proposed project would provide one new housing unit, it would not result in any substantial population increase in San Francisco, and the incremental increase in demand for public services on the site would not be in excess of amounts expected and provided for in the project area, and would not necessitate the need for new or physically altered governmental facilities.

Biological Resources

There are no adopted habitat conservation plans applicable to the project site, nor does the site include any riparian habitat.

Hydrology

Flooding hazards are not an issue because the project area is not subject to flooding and the project would have no impacts on flooding, as the amount of impervious surface at the site would not change due to the project. No portion of San Francisco is within a 100-year flood zone, and the project site is not subject to inundation in the event of reservoir failure.

Hazards

The project site is not within an airport land use plan area, nor is it in the vicinity of a private airstrip; these issues are, therefore, not addressed further.

Mineral and Energy Resources

No mineral resources are located on or near the project site, and the project would have no effect on mineral resources.

Agricultural Resources

No agricultural resources are located on or near the project site, and the project would have no effect on agricultural resources.

CHAPTER IV

Mitigation Measures

A. Mitigation Measures

There are several items required by law that would serve to reduce potential significant impacts; they are summarized here for informational purposes. These measures include: no use of mirrored glass on the building to reduce glare, as per City Planning Commission Resolution 9212; limitation of construction-related noise levels, pursuant to the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code, 1972); compliance with Section 3407 of the San Francisco Building Code, Work Practices for Lead-Based Paint on Pre-1979 Buildings and Steel Structures; and observance of State and federal OSHA safety requirements related to handling and disposal of other hazardous materials, such as asbestos.

Mitigation Measure 1—HABS-Level Recordation

The carriage house has been documented as part of the Landmarks Preservation Advisory Board case report, as summarized in this EIR. Nevertheless, further documentation, such as drawings and photographs to the standards of the Historic American Buildings Survey (HABS) should be undertaken prior to demolition. The project sponsor shall complete documentation of the carriage house in accordance with HABS level II standards. The documentation shall include:

- Photographs: Photographs with large-format (4x5 inch) negatives shall be shot of exterior and interior views of the carriage house, and views of the carriage house in the context of the main house and overall grounds of City Landmark No. 190. Historic photos of the carriage house, where available, shall be photographically reproduced. All photos shall be printed on archival fiber paper and fully identified with the name and location of the structure(s), a description of the feature or view being photographed, and the direction in which the photograph was taken, as well as the name of the photographer and the date created.
- Drawings: Architectural drawings (elevations and plans) of the existing carriage house, where available, shall be photographed with large format negatives or photographically reproduced on mylar.

The completed documentation package shall be submitted to local and regional archives, including but not limited to, the San Francisco Public Library History Room, the California Historical Society and the Northwest Information Center at Sonoma State University in Rohnert Park. A non-archival proof set shall be submitted to the Planning Department.

Implementation of this mitigation measure would not reduce the project's significant adverse impact to a less-than-significant level. CEQA Guidelines Section 15126.4 states that, "In some circumstances, documentation of an historical resource, by of historic narrative, photographs or architectural drawings, as

mitigation for the effects of demolition of the resource will not mitigate the effects to a point where clearly no significant effect on the environment would occur.” As such, HABS recordation does not fully mitigate the loss of historic structure. Although the primary significance of the carriage house relates to its contextual association with the main house and the overall site of Landmark No. 190, the Charles L. Hinkel House and Carriage House, and not as an individually significant work of architecture, nonetheless, “demolition” of the carriage house, under the standards set forth in Planning Code Article 10, would result in significant, unavoidable impact on historical resources.

The project sponsor has agreed to implement the above mitigation measure.

CHAPTER V

Significant Effects That Cannot Be Avoided if the Proposed Project is Implemented

In accordance with Section 21067 of the California Environmental Quality Act (CEQA), and with Sections 15040, 15081 and 15082 of the State CEQA Guidelines, potential impacts of the proposed 280 Divisadero Street Carriage House Project that could not be eliminated or reduced to an insignificant level are effects on historical resources. Specifically, the project would result in demolition (under the standards set forth in Article 10) of the carriage house, a contributing element to City Landmark No. 190 and, as such, a historical resource under CEQA. The proposed project would also involve the construction of a new residential structure, in its place, which Planning staff has found to be inconsistent with the Secretary's Standards, and which would therefore result in a significant adverse effect on historical resources. These impacts would not be mitigable.

This conclusion is subject to final determination by the Planning Commission (or the Board of Supervisors on appeal) as part of their certification process for the EIR. The Final EIR will be revised, if necessary, to reflect the findings of the Planning Commission (or Board of Supervisors on appeal).

CHAPTER VI

Alternatives to the Proposed Project

This chapter identifies alternatives to the proposed project, discusses environmental impacts associated with each alternative, and, where an alternative has been considered by the project sponsor in development of the project, gives the reasons the alternative was rejected in favor of the project. Project decision-makers could adopt any of the following alternatives, if feasible, instead of approving the proposed project. San Francisco decision-makers must consider approval of an alternative, if that alternative would substantially lessen or avoid significant environmental effects identified for the proposed project and that alternative is determined to be feasible. The determination of feasibility is made by City decision-makers.

A. Alternative A: No Project

The California Environmental Quality Act (CEQA) and state CEQA Guidelines require that a No Project Alternative be included in EIRs. One purpose of the No Project Alternative is to allow decision-makers to compare the effects of the proposed project with the effects of not approving the proposed project.

Description

This alternative would entail no change to the site, which would remain in its existing condition. The carriage house would not be demolished and rebuilt, and would not be legalized and re-occupied as a residential unit. Under this alternative, minor repairs could be made to the carriage house.

Impacts

Under this alternative, the carriage house would be expected to continue to deteriorate. Given the current condition of the building, it is likely that it would sustain further structural failure, either due to dry rot or to undermining of the perimeter structural support. It is reasonable to assume that, if left untouched, the carriage house ultimately could collapse due to structural failure or could require complete demolition, as it could become dangerous should the structural condition deteriorate beyond a certain point. Demolition would result in similar effects to those of the project.

The No Project Alternative would be environmentally superior, compared to the proposed project, over the near term because it would not result in an immediate significant and unavoidable impact due to demolition of a historical resource (the carriage house) or new construction that Planning staff has found to be inconsistent with the Secretary's Standards. However, the No Project Alternative would not meet

any of the project sponsor's objectives and in the long term, the demolition of the carriage house might result if its structural condition were to deteriorate to the point at which none of the existing historic features would be salvageable.

B. Alternative B: Preservation Alternative

Description

As noted in Section III.A, Preservation, according to the National Park Service (Secretary of the Interior's *Standards for the Treatment of Historic Properties*), entails a lesser level of intrusion than does Rehabilitation, focusing on stabilization and ongoing maintenance and repair, and does not allow for exterior additions:

Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. New exterior additions are not within the scope of this treatment; however, the limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project.⁴⁴

Therefore, this alternative would include stabilization of the carriage house and repair to correct existing decay, but would not include physical alterations to allow the building to be used as a residential unit as is proposed with the project. It is assumed that this alternative would be undertaken consistent with the *Secretary of the Interior's Standards for Preservation*, which are similar to the *Standards for Rehabilitation*, except that they permit less alteration and, most importantly, do not allow for new additions, exterior alterations, or adjacent new construction.

Impacts

This alternative would avoid the two-part significant, unmitigable effects of the proposed project: (1) demolition (under the standards set forth in Planning Code Article 10) of the carriage house; and (2) construction of a new structure at the location of the carriage house, which Planning staff has found to be inconsistent with the Secretary's Standards for Rehabilitation. Other impacts of this alternative would be less intensive than those of the proposed project, as discussed in the Initial Study (see Appendix A and Section III.C), because no demolition or new construction would occur; none of these impacts would be significant.

⁴⁴ Kay D. Weeks and Anne E. Grimmer, *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings*, National Park Service, Washington, D.C., 1995; p. 17.

The Preservation Alternative would be environmentally superior, compared to the proposed project, because it would not result in an immediate significant and unavoidable impact due to demolition of a historical resource (the carriage house) or introduce new construction that Planning staff has found to be inconsistent with the Secretary's Standards. Like the No Project Alternative, the Preservation Alternative would not meet the project sponsor's objectives to convert the structure to residential use and to create a design consistent, in the sponsor's opinion, with the Second Empire style of the main house. However, this alternative would meet the project sponsor's objective of stabilizing and structurally enhancing the existing structure.

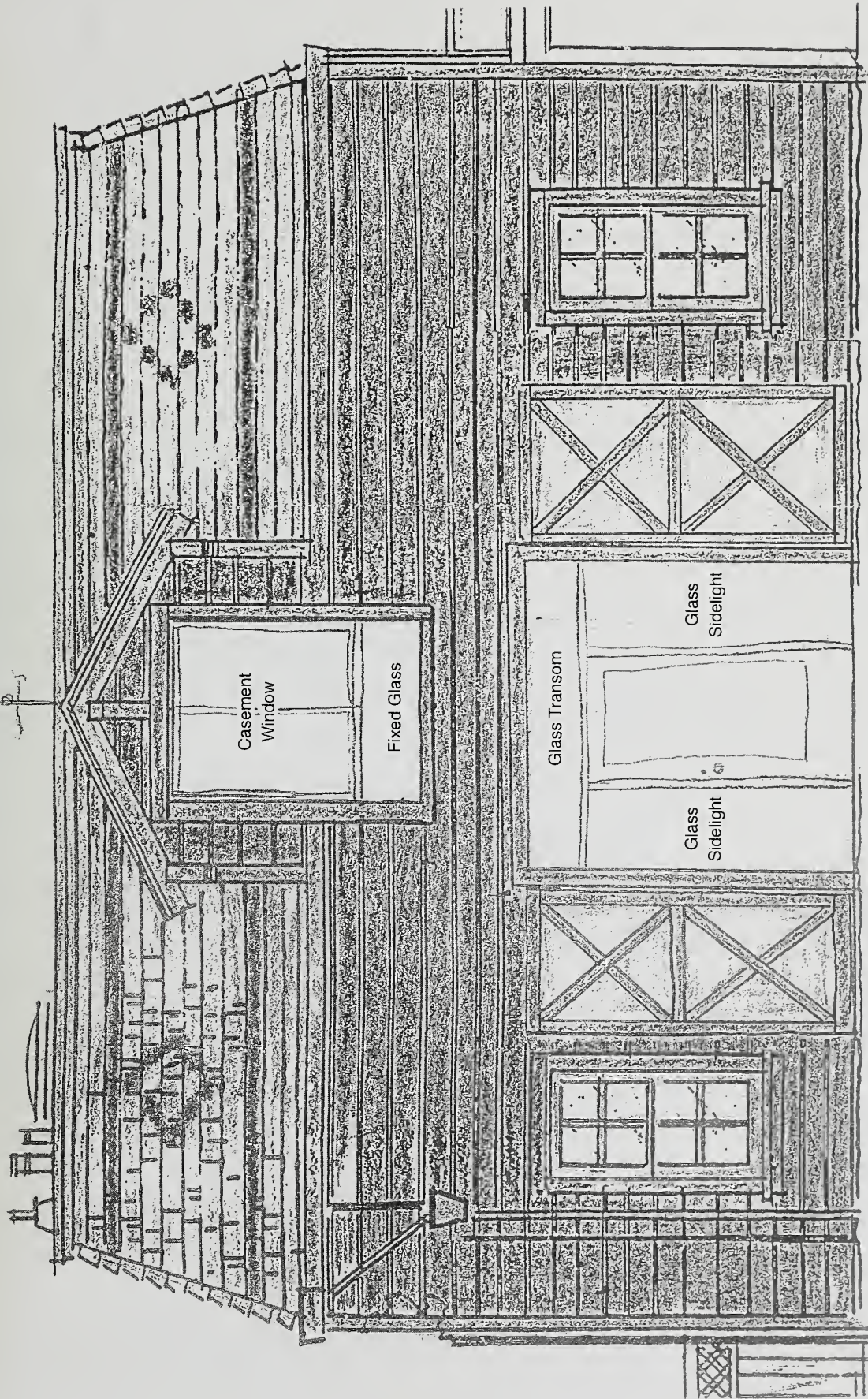
C. Alternative C: Reconstruction Alternative

Description

As with the proposed project, this alternative would result in demolition (under the standards set forth in Article 10) of the carriage house due to removal of existing exterior siding and other features. In terms of the new residential unit to be developed, this alternative would be consistent with the direction given the project sponsor in the July 2004 review by the Planning Department's preservation technical specialist, who stated, "Several options that would not overwhelm the utilitarian nature of the building and allow the carriage house to be used for a residence exist." As noted in the Setting portion of Section III.A, the character-defining features of the carriage house are the size and location of the building on the lot, the mansard roof, the exterior siding, double-hung wood window, carriage-sized opening, and the second-floor hayloft with its horizontal pole.

Reconstruction could mean either a new structure identical to the carriage house in its existing state or a new structure as the carriage house was in an earlier state. One option for reconstruction would be based on the recommendations of the preservation technical specialist. Under this alternative, at least one large carriage doorway would be re-established in the principal (west) façade of the carriage house, based upon physical evidence of the building's interior framing. One option, using a "restoration" approach that would restore what is believed to have been a symmetry in the west façade, would infill one-time carriage doorway in the west façade with a glass wall, with reconstructed barn doors capable of being fixed in the open position. The existing 4/4 window in the north bay of this façade, which is original to the carriage house, would be retained, and a matching window installed to the south. On the second floor, the sliding glass door would be replaced with a fixed glass lower panel, and an operable casement window within the existing opening. Flush-mounted skylights would provide additional light to the upper floor, as would openings in the south façade. An illustration of this alternative is shown in Figure 9. In addition to the illustrated improvements, the southern side of the second floor could be modified with a dormer to allow for access to light and air with new windows and doors onto the roof of a reconstructed non-historic carport.

Another option might be as follows: The west-side entry last used for carriages or automobiles would be re-opened and infilled with a glass wall, with or without reconstructed barn doors – capable of being fixed



Case No. 2001.1056E: 280 Divisadero Street . 203259

Figure 9
Alternative C – Reconstruction Alternative

SOURCE: San Francisco Planning Department

in the open position. The central bay would be used for residential doors within the existing opening, and the single window maintained to the north. Treatment of the second floor would be as described above.

Each option could make full use of the range of architecturally patterned shingles on the mansard roof, similar to that found on the main house. A multi-colored exterior paint scheme could further add to the embellishment of the western façade of the carriage house.

This alternative would be consistent with the *Secretary of the Interior's Standards for Reconstruction*, with the goal of reconstructing the exterior appearance of the historic carriage house with new materials. The Reconstruction standards call for

- 1) depicting "vanished or non-surviving portions of a property when documentary and physical evidence is available," with "minimal conjecture," and where "such reconstruction is essential to the public understanding of the property";
- 2) archeological investigation prior to reconstruction;
- 3) taking measures to preserve any remaining historic materials, features, and spatial relationships;
- 4) basing reconstruction "on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties" so that the reconstructed property re-creates the appearance of the non-surviving historic property in materials, design, color, and texture;
- 5) clearly identifying the reconstruction as a contemporary re-creation; and
- 6) not constructing designs "that were never executed historically."

Impacts

As with the proposed project, Alternative C would result in a significant impact due to demolition (under the standards set forth in Article 10) of the carriage house. Assuming consistency with the direction of the preservation technical specialist and the Reconstruction Standards, this alternative, unlike the project, would have less-than-significant impacts due to the new construction on City Landmark No. 190.

According to the historic architectural review conducted for the proposed project, the design of this alternative "is based on the form of the existing accessory structure, with design alterations intended to provide a sense of what the carriage house may have been, merged with the project sponsor's requirements for a second residential unit, including the addition of an enclosed garage with a roof deck." As to the impacts of this alternative, the historic architectural review states:

With respect to the [Secretary's] Standards [for Rehabilitation], the alternative design is no more consistent [than the proposed project] – again emphasizing that the proposed structure, in both instances, would be new. It would be much the same building as the proposed project in every respect except for the degree of ornamentation. In the opinion of this reviewer, a more modest exterior design would be no more compatible, since

modesty is not necessarily the priority when it comes to interpreting the historic architecture of this period. The placement of the new residential building establishes the relationship between the primary and historic residence, and this secondary building.

According to Planning Department preservation planning staff, however, by simplifying the design, compared to that of the proposed project, this alternative would develop a second residential unit that would retain the feel of a secondary structure, subsidiary to the main house on the project site and would not result in a false sense of historical development that the proposed project would create. For this reason, the new residential unit would have a less-than-significant impact on the overall City Landmark No. 190.

Other impacts of this alternative would be identical to those of the proposed project, as discussed in the Initial Study (see Appendix A and Section III.C); none of these impacts would be significant.

The Reconstruction Alternative would be environmentally superior, compared to the proposed project, because, while it would result in the same significant and unavoidable impact as the project due to demolition (under the standards set forth in Article 10) of the carriage house, this alternative would not result in new construction that Planning staff has found to be inconsistent with the Secretary's Standards, and the associated impacts on the overall City Landmark No. 190. This alternative would meet the project sponsor's objective to allow the carriage house to be used as a second residential unit and to stabilize and structurally enhance the building. However, it would not in the sponsor's opinion achieve his stated objectives of 1) creating an attractive structure, rather than one that resembles a barn-like structure, that would maximize the enjoyment and willingness to pay rent by future occupants; 2) providing for adequate interior light with tall first-floor windows and new west-facing windows in the second story; and 3) creating a design consistent with the Second Empire-style architectural features of the main house, including the addition of architectural features and decorative elements such as doors and windows surmounted by pediments and flanked by columns, a cupola, and decorative wood trim and iron work.

D. Alternative D: New Construction Alternative

Description

As with the proposed project, this alternative would result in the demolition (under the standards set forth in Article 10) of the carriage house due to removal of existing exterior siding and other features. This alternative would also result in the construction of a new structure in place of the existing carriage house. However, the new building would not attempt to reconstruct the carriage house in appearance and could take on a variation of designs provided that it would not cause a substantial adverse change in the significance of City Landmark No. 190. Based on analysis undertaken and direction provided by Planning Department preservation technical staff, the new construction component of the project would not cause a substantial adverse change to City Landmark No. 190 as long as it maintains the utilitarian character of the carriage house and a secondary relationship to the main house.

During review of the project for preparation of the historic architectural review, Mark Hulbert, the preservation architect retained by the EIR consultant, created a sketch of what a new residential building might look like (see Figure 10).⁴⁵ The new building would occupy the same footprint and would be approximately of the same size as the carriage house. Like the proposed project, it would be a two-story structure with the existing carport converted to a garage. Under the design illustrated, the residential entrance would be centered on the west façade and two matching windows would be installed in the north and south bays of the façade. The second floor would also include two matching windows in the north and south bays of the façade and a dormer in the center of the façade. A roof deck would be added atop the garage, with access provided by a doorway in the south façade of the second floor.

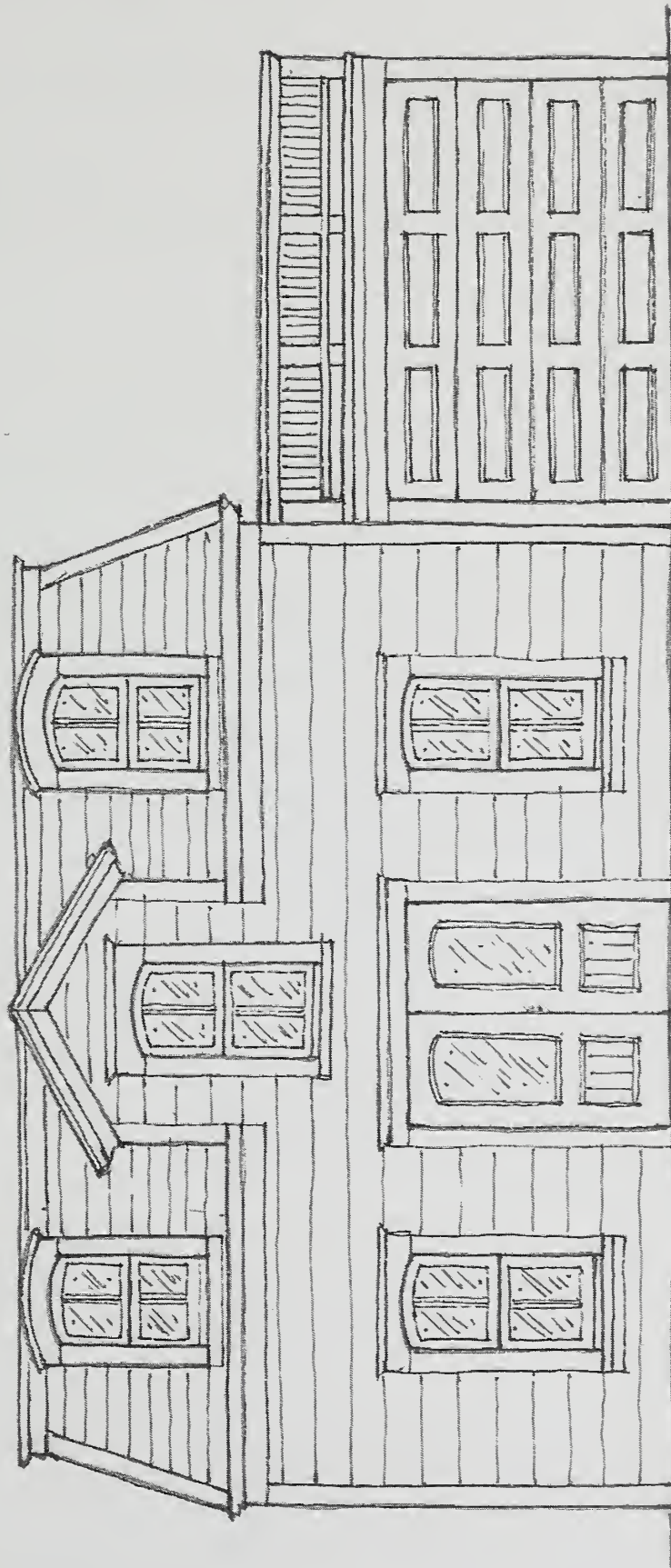
As described in the Introduction to this Draft EIR, the proposed project was presented to the Landmarks Board Architectural Review Committee on December 19, 2001, and subsequently presented at the Landmarks Board hearing on September 18, 2002.⁴⁶ Members of the Architectural Review Committee recommended that the proposed project be simplified; however, their directions were not specific as to the amount of simplification that would be appropriate. The above-described alternative would result in a structure that is substantially less ornate than the proposed project and therefore, generally would be in keeping with the recommendations of the Architectural Review Committee. While this alternative happens to be consistent with the general recommendations of the Architectural Review Committee, it is important to acknowledge that the design of this alternative was created independently of the Architectural Review Committee deliberation and was not the result of the Committee recommendation.

Impacts

As with the proposed project, the New Construction Alternative would result in a significant impact due to demolition (under the standards set forth in Article 10) of the carriage house. However, unlike the proposed project, the New Construction Alternative would not alter the relationship of the primary structure (the main house) to the secondary structure (the carriage house) that characterizes the City Landmark No. 190. Moreover, the New Construction Alternative would avoid the potential for creating a false sense of historic development by omitting the elaborate detailing proposed as part of the project. Compared with the proposed project, the New Construction Alternative would have a simplified design that would be consistent with the historic relationship of structures on the site by maintaining the visual appearance of a secondary structure rather than creating a second edifice that competes with the main Hinkel House. The design of the New Construction Alternative would result in a structure that is subordinate to the Main Hinkel House and therefore, maintains its utilitarian relationship to it. As such,

⁴⁵ Although not expressly developed as an EIR alternative, but rather as a tool for analysis, the architect's sketch suffices as one potential example of how this alternative might be designed.

⁴⁶ The LPAB took no action on the project. At that meeting, one committee member stated that, while he thought the project should be "toned down," he could support the "whimsical" design for the front (west) façade of the carriage house. A second member stated that the proposed design was "so far over the top as to almost be insulting," and called the proposal "a willful defiance of some fundamental principles." A third ARC member acknowledged both sides of the question—property rights in the context of a second unit on the site of a single-family dwelling versus faithful compliance with historic preservation principles—and concluded by urging the sponsor to bring a "simpler design" before the full Landmarks Board.



the New Construction Alternative would not adversely impact the historic character of the overall City Landmark No. 190 and its environment.

Other impacts of this alternative would be identical to those of the proposed project, as discussed in the Initial Study (see Appendix A and Section III.C); none of these impacts would be significant.

The New Construction Alternative would be environmentally superior, compared to the proposed project, because while it would result in the same significant and unavoidable impact as the project due to demolition (as defined in Article 10) of the carriage house, it would not result in new construction that Planning staff has found to be inconsistent with the Secretary's Standards, and the associated impacts on the overall City Landmark No. 190. This alternative would meet the project sponsor's objectives of allowing the carriage house to be used as a second residential unit, providing adequate light for the dwelling unit, and stabilizing and structurally enhancing the building. However, it would not, in the sponsor's opinion, achieve his stated objectives of 1) creating an attractive structure that would maximize the enjoyment of, and willingness to pay rent by, future occupants; and 2) creating a design consistent with the Second Empire-style architectural features of the main house, including the addition of architectural features and decorative elements such as doors and windows surmounted by pediments and flanked by columns, a cupola, and decorative wood trip iron work. The sponsor believes this alternative retains too much of a barn-like appearance. According to the sponsor, "To work appropriately in San Francisco Victorian architecture, you need to be swept in the pure exuberance of it."

CHAPTER VII

DEIR Distribution List

List of Those to Receive Mailed Copies of Draft EIR

Copies of the Draft EIR and the Draft EIR hearing notice were mailed or delivered to the following public agencies, organizations, and individuals. In addition, Notices of Availability of the Draft EIR were mailed to neighbors of the project site.

PUBLIC AGENCIES

San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103
Attn: Linda Avery, Secretary
Dwight S. Alexander, President
Christina Olague, Vice President
Michael J. Antonini
William L. Lee
Sue Lee
Kathrin Moore
Hisashi Sugaya

Landmarks Preservation Advisory Bd.
1650 Mission Street, Suite 400
San Francisco, CA 94103
Attn: Sonya Banks, Secretary
M. Bridget Maley, President
Robert W. Cherny, Vice President
Lily Chan
Courtney Damkroger
Ina Dearman
Karl Hasz
Alan Martinez
Johanna Street

Leigh Jordan, Coordinator
Northwest Information Center
Sonoma State University
1303 Maurice Avenue
Rohnert Park, CA 94928

Lucinda Woodward
State Office of Historic Preservation
Local Gov and Info Management Unit
PO Box 942896
Sacramento, CA 94296-0001

LIBRARIES

Government Information Services (3 C.)
Main Library - Civic Center
100 Larkin Street
San Francisco, CA 94102

Stanford University Libraries
Jonsson Library of Gov't. Documents
State & Local Documents Division
Stanford, CA 94305

Government Publications Department
San Francisco State University
1630 Holloway Avenue
San Francisco, CA 94132

Hastings College of the Law - Library
200 McAllister Street
San Francisco, CA 94102-4978

Institute of Government Studies
109 Moses Hall
University of California
Berkeley, CA 94720

INDIVIDUALS & GROUPS

G Bland Platt Associates
Mrs. Bland Platt
362 Ewing Terrace
San Francisco, CA 94118

Charles Chase, Exec. Director
San Francisco Architectural Heritage
2007 Franklin St.
San Francisco, CA 94109

Sue Hestor
Attorney at Law
870 Market St #1128
San Francisco, CA 94102

Vincent Marsh
Marsh and Associates
2134 Green Street, No. 3
San Francisco, CA 94123-4761

Linda Mjellem
Union Square Association
323 Geary St Ste 408
San Francisco, CA 94102

Arnie Hollander
The Lurie Company
555 California St Ste 1500
San Francisco, CA 94104

Patrick McGrew
McGrew/Architects
582 Market St Ste 908
San Francisco, CA 94104

J G Turnbull
Page & Turnbull Inc
724 Pine Street
San Francisco, CA 94108

Debra Stein
GCA Strategies
655 Montgomery Street Ste 1700
San Francisco, CA 94111

Dorice Murphy
Eureka Valley Trails & Art Network
175 Yukon Street
San Francisco, CA 94114

Shirley Albright
Landmarks Council of California
306 Arguello Blvd Apt 101
San Francisco, CA 94118

Winchell T Hayward
Victorian Alliance CA Heritage
208 Willard North
San Francisco, CA 94118

Stewart Morton
PO Box 641225
San Francisco, CA 94164-1225

California Heritage Council
PO Box 475046
San Francisco, CA 94147

F Joseph Butler Architect
1048 Union St #19
San Francisco, CA 94133

Courtney S. Clarkson
Pacific Heights Residents Assn.
3109 Sacramento Street
San Francisco, CA 94115

The Art Deco Society of California
100 Bush Street, Suite 511
San Francisco, CA 94104

Carey & Co Inc.
460 Bush Street
San Francisco, CA 94108

Gerald D Adams
152 Lombard St #404
San Francisco, CA 94111-1134

Fort Point & Presidio Hist. Assn.
PO Box 29163
San Francisco, CA 94129

David P. Cincotta
Jeffer Mangels Butler & Marmaro LLP
Two Embarcadero Center, 5th Floor
San Francisco, CA 94111

Joseph B. Pecora
882 Grove Street
San Francisco, CA 94117

Nancy Shanahan
Telegraph Hill Dwellers
224 Filbert Street
San Francisco, CA 94133

Marie Zeller
Patri Merker Architects
400 Second Street, Suite 400
San Francisco, CA 94107

Alice Suet Yee Barkley, Esq.
Luce Forward, et. al.
121 Spear Street, Suite 200
San Francisco, CA 94105

Tim Kelley
Workplace History Assn.
2912 Diamond Street #330
San Francisco, CA 94131

Gabriel Metcalf, Exec. Director
S.F. Planning & Urban Research Assn.
312 Sutter Street
San Francisco, CA 94108

Toby Levine
1366 Guerrero Street
San Francisco, CA 94110

Western Neighborhoods Project
PO 460936
San Francisco, CA 94146-0936

Katalin Koda
P.O. Box 14034
San Francisco, CA 94114-0034

Mark Luellen
Preservation Coordinator
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Marlena G. Byrne
Deputy City Attorney
City Hall, Room 234
San Francisco, CA 94102

James Hill
838 Haight Street
San Francisco, CA 94117

Allen Klein
1034 Page Street
San Francisco, CA 94117

Arnold Levinson
963 Page Street
San Francisco, CA 94117

Leonard Warner
1100 Fell Street
San Francisco, CA 94117

List of Those to Receive Notice of Draft EIR Availability

PUBLIC AGENCIES

California Dep't. of Fish and Game
Central Coast Region
Habitat Conservation
Post Office Box 47
Yountville, CA 94599

U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, CA 95825-1846

Suzan Ryder
Association of Bay Area Governments
P.O. Box 2050
Oakland, CA 94604-2050

Judy Huang
Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay St., Suite 1400
Oakland, CA 94612

Craig Goldblatt
Metropolitan Transport. Commission
101 8th Street
Oakland, CA 94607

Mr. Alan Zahradnik
Dir. of Planning and Policy Analysis
Golden Gate Bridge District
1011 Andersen Drive
San Rafael, CA 94901

Dennis Baker, Chief of Operations
City of Daly City
Wastewater Treatment Plant
153 Lake Merced Blvd.
Daly City, CA 94015

Fred Blackwell, Director
Mayor's Office of Community Devel.
One South Van Ness, 5th Floor
San Francisco, Ca 94103

Isam Hasenin, Director
Department of Building Inspection
1660 Mission Street
San Francisco, CA 94103

Dwayne Jones, Director
Mayor's Office of Community Devel.
25 Van Ness Ave., Suite 700
San Francisco, Ca 94102

Joel Lipski, Director
Mayor's Office of Housing
25 Van Ness Avenue, Suite 600
San Francisco, CA 94102

Jesse Blout, Director
Mayor's Office of Economic Devel.
City Hall, Room 448
San Francisco, CA 94102

John Deakin
Bureau of Energy Conservation
Hetch Hetchy Water & Power
1155 Market Street, 4th Floor
San Francisco, CA 94103

Mario S. Ballard, Captain
Bureau of Fire Prevention & Investigation
1660 Mission Street, 2nd Floor
San Francisco, CA 94103

Paul D. Jones, Asst. Deputy Chief
Division of Support Services
698 Second Street, Room 305
San Francisco, CA 94107-2015

Peter Straus
Service Planning Division
San Francisco Municipal Railway
1145 Market Street, Suite 402
San Francisco, CA 94103

Capt. Albert Pardini
Police Department
Planning Division, Hall of Justice
850 Bryant Street, Room 500
San Francisco, CA 94103

Bond Yee
S.F. Department of Parking & Traffic
Traffic Engineering Division
One South Van Ness Avenue
San Francisco, CA 94103

Susan Leal, General Manager
Public Utilities Commission
1155 Market Street, 4th Floor
San Francisco, CA 94102

Barbara Moy
San Francisco Dep't. of Public Works
Bureau of Street Use and Mapping
875 Stevenson Street, Room 465
San Francisco, CA 94103

Steve Legnitto
San Francisco Real Estate Department
25 Van Ness Avenue, 4th floor
San Francisco, CA 94102

Svetlana Karasyova, Park Planner
Recreation & Park Department
McLaren Lodge
501 Stanyan Street
San Francisco, CA 94117

Joe Pelayo, Sr. Engineer
Water Department
City Distribution Division
1990 Newcomb Avenue
San Francisco, CA 94124

GROUPS & INDIVIDUALS

Bob Jacobovitz
AIA - SF Chapter
130 Sutter Street
San Francisco, CA 94104

Chi-Hsin Shao
CHS Consulting
130 Sutter Street, Suite 468
San Francisco, CA 94104

Jim Haas
Civic Pride
115 Sansome Street, Ste. 500
San Francisco, CA 94104

Mary Murphy
Gibson Dunn & Crutcher
One Montgomery Street, Ste. 3100
San Francisco, CA 94104-4505

Richard Mayer
NRG Energy Center
410 Jessie Street, Suite 702
San Francisco, CA 94103

John Bardis
Sunset Action Committee
1501 Lincoln Way, #503
San Francisco, CA 94122

Bruce White
3207 Shelter Cove Avenue
Davis, CA 95616

Bay Area Council
200 Pine Street, Suite 300
San Francisco, CA 94104-2702

Michael Dyett
Dyett & Bhatia
755 Sansome Street, #400
San Francisco, CA 94111

Peter Bosselmann
Environmental Simulation Lab
119 Wurster Hall
University of California
Berkeley, CA 94720

Georgia Brittan
San Franciscans for Reasonable Growth
460 Duncan Street
San Francisco, CA 94131

Land Use & Real Estate Section
Morgan, Lewis & Bockius
One Market Plaza
San Francisco, CA 94105

Jay Cahill
Cahill Contractors, Inc.
425 California Street, Suite 2300
San Francisco, CA 94104

Carol Lester
Chicago Title
388 Market Street, 13th Floor
San Francisco, CA 94111

Chinatown Resource Center
1525 Grant Avenue
San Francisco, CA 94133

David P. Cincotta
Jeffer Mangels Butler & Marmaro LLP
Two Embarcadero Center, 5th Floor
San Francisco, CA 94111

Coalition for S.F. Neighborhoods
P.O. Box 320098
San Francisco, CA 94132 - 0098

Ruben Santiago
P.O. Box 56631
Hayward, CA 94545

John Vaughan
Cushman & Wakefield
1 Maritime Plaza, Suite 900
San Francisco, CA 94111

Frank Fudem
NAI BT Commercial
201 California St., Ste. 100
San Francisco, CA 94111

John Elberling
Yerba Buena Consortium
182 Howard Street, #519
San Francisco, CA 94105

EIP Associates
353 Sacramento Street, Suite 1000
San Francisco, CA 94111

Environmental Science Associates
225 Bush St., Suite 1700
San Francisco, CA 94104-4207

Mary Anne Miller
SF Tomorrow
1239 42nd Avenue
San Francisco, CA 94122

Steven L. Vettel
Farella Braun & Martel LLP
235 Montgomery Street 30th Floor
San Francisco CA 94104

Charles Chase, Exec. Director
San Francisco Architectural Heritage
2007 Franklin St.
San Francisco, CA 94109

Gensler and Associates
2 Harrison Street, Suite 400
San Francisco, CA 94105

Richard A. Judd
Goldfarb & Lipman
1300 Clay Street, 9th Floor
City Center Plaza
Oakland, CA 94612-1455

Eric LeStrange
Greenwood Press, Inc.
P.O. Box 5007
Westport, CT 06881-9900

Gruen, Gruen & Associates
564 Howard Street
San Francisco, CA 94105

Sue C. Hestor
Attorney-at-Law
870 Market Street, Room 1128
San Francisco, CA 94102

The Jefferson Company
10 Lombard Street, 3rd Floor
San Francisco, CA 94111-1165

Philip Fukuda
TRI Commercial
1 California Street Suite 1200
San Francisco, CA 94111

Jan Vargo
Kaplan/McLaughlin/Diaz
222 Vallejo Street
San Francisco, CA 94111

Larry Mansbach
Mansbach Associates
582 Market Street, Suite 217
San Francisco, CA 94104

Sally Maxwell
Maxwell & Associates
1522 Grand View Drive
Berkeley, CA 94705

Cliff Miller
89 Walnut Avenue
Corte Madera, CA 94925-1028

Bob Meyers
Robert Meyers Associates
120 Montgomery Street Suite 2290
San Francisco CA 94104

Regina Sneed
National Lawyers Guild
558 Capp Street
San Francisco, CA 94110

J G Turnbull
Page & Turnbull Inc
724 Pine Street
San Francisco, CA 94108

Marie Zeller
Patri Merker Architects
400 Second Street, Suite 400
San Francisco, CA 94107

Environmental and Landuse Section
Pillsbury, Winthrop LLP
50 Fremont Street
San Francisco, CA 94105

G Bland Platt Associates
Mrs. Bland Platt
362 Ewing Terrace
San Francisco, CA 94118

Dennis Purcell
Coblentz, Patch, Duffy and Bass
One Ferry Building, Suite 2
San Francisco, CA 94111

Peter Bass
Ramsay/Bass Interest
3756 Grant Avenue, Suite 301
Oakland, CA 94610

James Reuben
Reuben and Junius
One Bush Street, Suite 600
San Francisco, CA 94104

Andrew Junius
Reuben & Junius
One Bush Street, Suite 600
San Francisco, CA 94104

Turnstone Consulting
330 Townsend Street, Suite 216
San Francisco, CA 94107

Jason Henderson
Department of Geography
San Francisco State Univ.
1600 Holloway Ave.--HSS 279
San Francisco, CA 94132

David P. Rhoades & Associates
364 Bush Street
San Francisco, CA 94104-2805

Dee Dee Workman, Exec. Dir.
San Francisco Beautiful
100 Bush Street, Suite 1580
San Francisco, CA 94104

Stanley Warren
S.F. Building & Const. Trades Council
150 Executive Park Blvd., Suite 4700
San Francisco, CA 94134-3341

San Francisco Chamber of Commerce
235 Montgomery Street, 12th Floor
San Francisco, CA 94104-2902

Walter Johnson
San Francisco Labor Council
1188 Franklin Street, Suite 203
San Francisco, CA 94109

Gabriel Metcalf, Exec. Director
S.F. Planning & Urban Research Ass'n.
312 Sutter Street
San Francisco, CA 94108

Jennifer Cleary, President
San Francisco Tomorrow
P.O. Box 1579
San Francisco, CA 94104

John Sanger, Esq.
1 Embarcadero Center, 12th Floor
San Francisco, CA 94111

San Francisco Group
Sierra Club
85 2nd Street, Floor 2
San Francisco, CA 94105-3441

Sedway Group
505 Montgomery Street, #600
San Francisco, CA 94111-2552

Dave Kremer
Shartsis Freise & Ginsburg
One Maritime Plaza, 18th Floor
San Francisco, CA 94111

John Kriken
Skidmore, Owings & Merrill, LLP
One Front Street, Suite 2400
San Francisco, CA 94111

Jim Ross
Solem & Associates
550 Kearny Street
San Francisco, CA 94108

Hartmut Gerdes
Square One Productions
1736 Stockton Street, Studio 7
San Francisco, CA 94133

Robert S. Tandler
3490 California Street
San Francisco, CA 94118-1837

Jerry Tone
Montgomery Capital Corp.
244 California St.
San Francisco, CA 94111

Joel Ventresca
1278 44th Avenue
San Francisco, CA 94122

Jon Twichell Associates
70 Hermosa Avenue
Oakland, CA 94618

Stephen Weicker
899 Pine Street, #1610
San Francisco, CA 94108

Calvin Welch
Council of Community Housing Orgs.
409 Clayton Street
San Francisco, CA 94117

Howard M. Wexler Esq.
Farella Braun & Martel LLP
235 Montgomery Street 30th Floor
San Francisco CA 94104

Eunice Willette
1323 Gilman Avenue
San Francisco, CA 94124

Paul Kollerer/Tom Balestri
Cahill Construction Services
1599 Custer Avenue
San Francisco, CA 94124-1414

Andrew Tuft
Singer Associates
140 Second Street, 2nd Floor
San Francisco, CA 94105

Diane Wong
UCSF Campus Planning
3333 California Street, Suite 11
San Francisco, CA 94143-0286

Jayni Allsep
EDAW
150 Chestnut Street
San Francisco, CA 94111

Alice Suet Yee Barkley, Esq.
Luce Forward, et. al.
121 Spear Street, Suite 200
San Francisco, CA 94105

Bob Incent
Buena Vista Neighborhood Assn.
447 Buena Vista Avenue East
San Francisco, CA 94117

Ross Mirkarimi
Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Cheryl Brodie
Haight-Ashbury Improvement Assn.
P.O. Box 170098
San Francisco, CA 94117

Calvin Welch
Housing & Land Use Chair
Haight-Ashbury Neighborhood Council
409 Clayton Street
San Francisco, CA 94117

J. Kankinsky
Vice President
Planning Assoc. of Divisadero St.
339 Divisadero Street
San Francisco, CA 94117

Joe Konopha
R.A.D.
544 Ashbury Street
San Francisco, CA 94117

Ted Loewenberg
Chairman
Waller Street Association
1562 Waller Street
San Francisco, CA 94117

Molly Lowery
Acting President
Woodland Avenue Association
54 Woodland Avenue
San Francisco, CA 94117

Karen Crommie
628 Ashbury Street
San Francisco, CA 94117

Marianne Hesse
101 Belvedere Street
San Francisco, CA 94117

Joe Pecora
Alamo Square Neighborhood Assoc.
P.O. Box 15372
San Francisco, CA 94115

Sue Valentine, President
Alamo Square Neighborhood Assoc.
P.O. Box 15372
San Francisco, CA 94115

Michael Nulty
Alliance for a Better District 6
PO Box 420782
San Francisco, CA 94142-0782

Larry Collins
President
DataSculpting
582 Grove #9
San Francisco, CA 94102

Dennis Richards
President
Duboce Triangle Neighborhood Assn.
2261 Market Street PMB#301
San Francisco, CA 94114

George Smith
Executive Director
Ella Hill Hutch Community Center
1050 McAllister St.
San Francisco, CA 94115

Nihonmachi Comm. Develop. Corp.
1698 Post Street
San Francisco, CA 94115

Cathy Inamasu
Executive Director
Nihonmachi Little Friends
2031 Bush Street
San Francisco, CA 94115

Marvis Phillips
Land Use Board Member
North of Market Planning Coalition
230 Eddy Street #1206
San Francisco, CA 94102-2607

Jan Bolaffi,
President
Western Addition Neigh. Assn.
2331 Bush Street
San Francisco, CA 94115

William Rostov
209 Lincoln Way, Apt. 5
San Francisco, CA 94122

Jake S. Ng
President
San Francisco Neighbors Assn(SFNA)
1900 Noriega Street Ste. 202
San Francisco, CA 94122

Gertrude Laufer
263 Lakeshore Drive
San Francisco, CA 94123

Debra Stein
GCA Strategies
655 Montgomery Street Ste 1700
San Francisco, CA 94111

Stu During
During Associates
120 Montgomery Street, Suite 2290
San Francisco, CA 94104

John King
San Francisco Chronicle
901 Mission Street
San Francisco, CA 94103

The Sun Reporter
1791 Bancroft Avenue
San Francisco, CA 94124-2644

Emily Fancher
San Francisco Examiner
450 Mission St., 5th Fl.
San Francisco, CA 94105

*Notice of Availability also sent to
project site neighbors.*

MEDIA

Bill Shiffman
Associated Press
303 2nd Street, #680 North
San Francisco, CA 94107-1366

Leland S. Meyerzone
KPOO - FM
PO Box 6149
San Francisco CA 94101

Gabe Roth
San Francisco Bay Guardian
135 Mississippi Street
San Francisco, CA 94107-2536

San Francisco Business Times
275 Battery Street, Suite 940
San Francisco, CA 94111

Patrick Hoge
San Francisco Chronicle
901 Mission Street
San Francisco, CA 94103

Gerald Adams
San Francisco Chronicle
901 Mission Street
San Francisco, CA 94103

CHAPTER VIII

Appendices

APPENDIX A: Initial Study

APPENDIX B: Secretary of the Interior's Standards for Rehabilitation

APPENDIX C: Historic Architectural Review

APPENDIX D: Preservation Technical Specialist Memoranda

APPENDIX A

Initial Study

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

Date of this Notice: March 20, 2004

Lead Agency: City and County of San Francisco, Planning Department
1660 Mission Street, 5th Floor, San Francisco, CA 94103

Agency Contact Person: Tim Blomgren **Telephone:** (415) 558-5979

Project Title: 2001.1056E – 280 Divisadero Street Carriage House

Project Sponsor: Richard and Cheryl Zillman

Project Address: 280 Divisadero Street

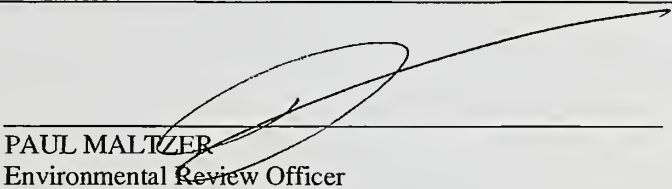
Assessor's Block and Lot: Block 1238, Lot 023

City and County: San Francisco

Project Description: The project would renovate a former carriage house (part of City Landmark No. 190, the Charles L. Hinkel House) so the 1,360-square-foot, two-story building can be placed back into service as a second residential unit on its lot. The former carriage house currently is vacant and in disrepair; it is believed to have last been occupied in 1981. The proposed project would affect only the carriage house; no changes to the main Charles L. Hinkel House are proposed. Proposed renovations include a new foundation, new structural framing, a new front door, and removal of the existing large doorway and its replacement with a divided-light wood sash window to the right of the new front door; a matching window would be installed to the left. At the second floor, the sponsor proposes to replace a non-historic aluminum dormer window with a new wood sash window in a narrower dormer that would be topped by a new pyramidal cupola. The dormer window opening would be raised to provide a more usable floor plan and more natural light at the second floor. Two new oval wood windows would be installed in the western slope of the existing Mansard roof, which would be re-covered with new roofing and, except for the cupola, would retain its existing profile. Existing wood siding would be reused where feasible, and extensive wood trim would be added. An outside deck would be constructed atop an existing carport, which would be converted to a garage. Additional detailing would include decorative metal railing along the roofline and a weathervane atop the cupola. Minor excavation would be required for construction of the new foundation and for installation of utilities.

The project site is within a NC-2 (Small-Scale Neighborhood Commercial) Use District and a 40-X Height and Bulk district (40-foot height limit; no bulk limit). The project would comply with the use requirements and the height and bulk limitations. The proposed project would require a Certificate of Appropriateness for exterior alterations to a City Landmark and a rear and side yard variance for construction in the required setbacks.

THIS PROJECT MAY HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AND AN ENVIRONMENTAL IMPACT REPORT IS REQUIRED. This determination is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15063 (Initial Study), 15064 (Determining Significant Effect), and 15065 (Mandatory Findings of Significance), and the following reasons, as documented in the Initial Study for the project, which is attached.


PAUL MALTZER
Environmental Review Officer
Planning Department

280 DIVISADERO STREET CARRIAGE HOUSE

INITIAL STUDY

2001.1056E

I. PROJECT DESCRIPTION

The project site is at 280 Divisadero Street, on the eastern side of Divisadero Street between Page and Haight Streets, in the Lower Haight neighborhood of San Francisco's Western Addition district (see Figure 1, p. 2). The site (Assessor's Block 1238, Lot 23) is 6,875 square feet in area. The project site contains two structures: a four-story single-family dwelling (the "main house") and a two-story building that originally served as a carriage house for the property (the "former carriage house" or "carriage house") and was converted to a second residential unit at some time prior to 1973. The project site, including both structures and the entire lot, is City Landmark No. 190, the Charles L. Hinkel House, named after the builder. The proposed project would affect only the former carriage house; no changes to the main house are proposed. The carriage house is not visible from the street because there is a fence and a garage door south of the main house along the Divisadero Street property line.

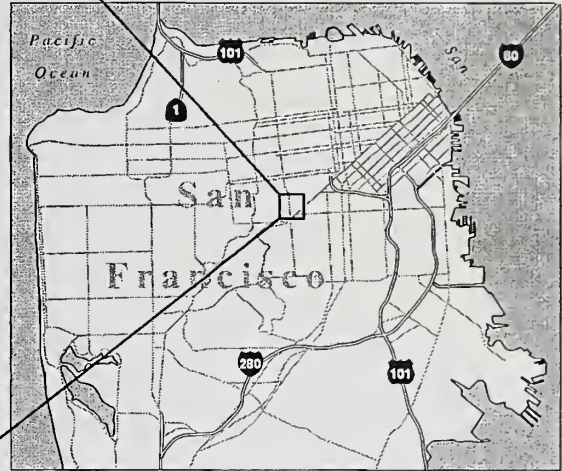
The former carriage house is located in the northeastern corner of the project site, along both the northern and eastern property lines. Attached to the south side of the building is a more modern carport, which extends to approximately the southern property line. Together, the former carriage house and carport occupy most of the rear approximately 15 percent of the lot. Figure 2, p. 3, depicts a site plan.

The former carriage house currently is vacant and is believed to have last been occupied in 1981. By the time the sponsor purchased the property in 1994, the carriage house had fallen into serious disrepair. The balloon framing,¹ improperly spaced in accordance with current Building Code requirements, has sustained dry rot on the south wall. The front (west) wall of the former carriage house sags perceptibly at its center, indicating structural failure, and the front wall also has sustained damage due to dry rot.

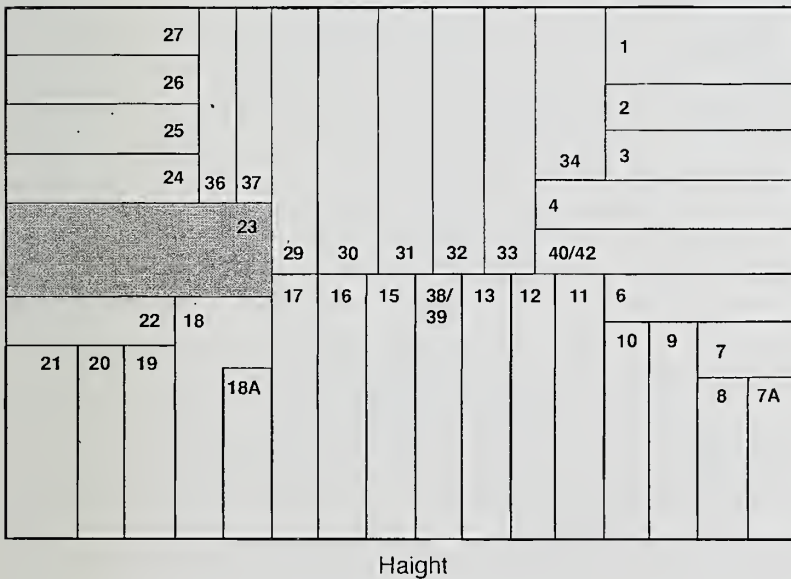
The project sponsor proposes to renovate the carriage house, including both exterior alterations and interior structural repairs, so that the building can be placed back into service as a rental unit. As was the case previously, the former carriage house would be a second unit on the project site.

Proposed renovations include a new foundation, new structural framing, installation of a new front door, and removal of the existing large doorway and its replacement with a divided-light wood sash window; a matching window would be installed to the north (left) of the new front door. At the second floor, the

¹ Balloon framing refers to a building framing method, common in the 18th and early 19th centuries, in which studs (the vertical members in the wall) run the entire height of a building (generally no more than two stories), without intervening horizontal beams at the second floor level. Balloon framing is contrasted with the now more-common platform framing, in which the walls of each floor are framed separately.



Page



Project Site
Assessor's Block 1238
Lot 23

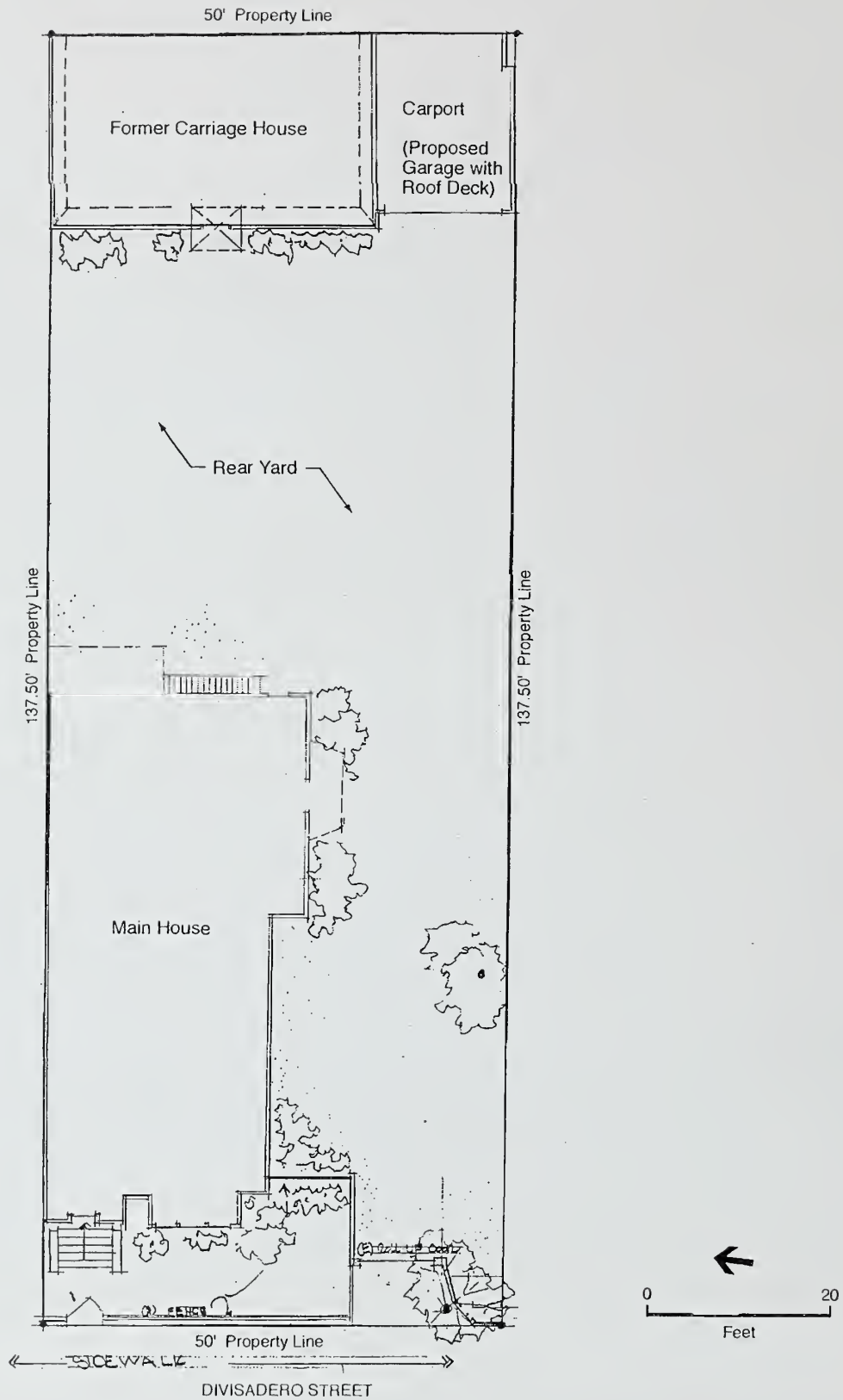
23 Lot Number



Case No. 2001.1056E: 280 Divisadero Street (ESA 203259) ■

URCES: Environmental Science Associates; San Francisco Planning Department
California State Automobile Association

Figure 1
Project Location



SOURCE: Richard Zillman

Case No. 2001.1056E: 280 Divisadero Street (ESA 203259) ■

Figure 2
Site Plan (Existing and Proposed)

sponsor proposes to replace the existing non-historic aluminum dormer window with a new wood sash window in a narrower dormer that would be topped by a new pyramidal cupola. The dormer window opening would be raised to provide a more usable floor plan and more natural light at the second floor. Two new oval wood windows would be installed in the western slope of the existing Mansard roof, which would be re-covered with new roofing and, except for the cupola, would retain its existing profile.

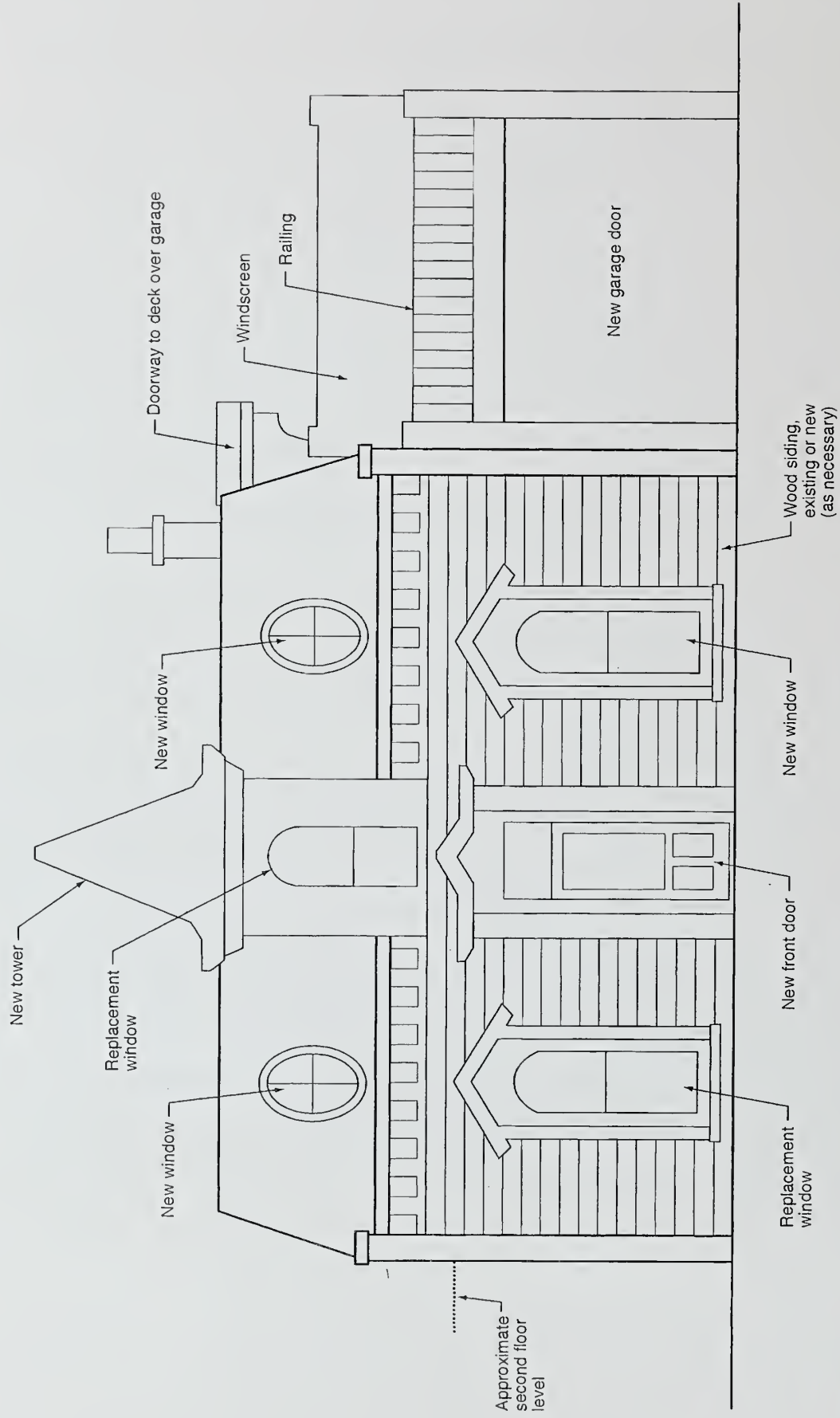
The primary exterior material would be wood siding, as at present. Existing material would be reused where feasible, although some of the siding is known to have dry rot. Wood trim would be used around the doors and windows, along a horizontal trim line between first and second floors, and at the corners of the building. An outside deck would be constructed atop the carport, which would be converted to a garage by the addition of a door (parking capacity be one space, as at present). A doorway to the deck would replace two existing windows in the south wall of the Mansard roof. The deck would include a wooden railing along the three sides not adjacent to this wall of the building. A new chimney would be placed near the southwest corner of the former carriage house to allow for installation of a wood stove or fireplace. Additional detailing would include decorative metal railing along the roofline and a weathervane atop the cupola.

Figure 3, p. 5, shows the principal (west) facade of the former carriage house, with the alterations proposed by the project sponsor. Figures 4 and 5, pp. 6 and 7, present photographs of the former carriage house and the main house. Figure 6, p. 8, depicts the existing carriage house facade, with major proposed changes indicated by dashed lines, to allow for comparison between the existing and proposed conditions.

The project also would include installation of new utilities, including pumps for wastewater and storm water. The square footage and height of the carriage house would be unchanged from its present condition. The former carriage house measures approximately 34 feet wide by 20 feet deep; at two stories, the building contains approximately 1,360 square feet. The structure is approximately 22 feet tall, measured to the top of the steeply sloped Mansard roof.

Excavation to a depth of approximately 4 feet would be required for construction of the new foundation and for installation of utilities that would run to the former carriage house from Divisadero Street. It is not anticipated that any substantial amount of soil would be removed from the site.

The project would require approval by the Planning Commission, with advice of the Landmarks Preservation Advisory Board, of a Certificate of Appropriateness for exterior alterations to a City Landmark. The project also would require a rear yard variance because the former carriage house is located within the required rear yard open space of the main house. A variance also would be required to permit less than the required dimensions for side yards. Finally, a building permit would be required.



SOURCE: Richard Ziffman

Case No. 2001.1056E; 280 Divisadero Street (ESA 203259) ■

Figure 3
Proposed Elevation
of Carriage House



Front (Western) Facade of Carriage House (Note sag towards center of roofline.)



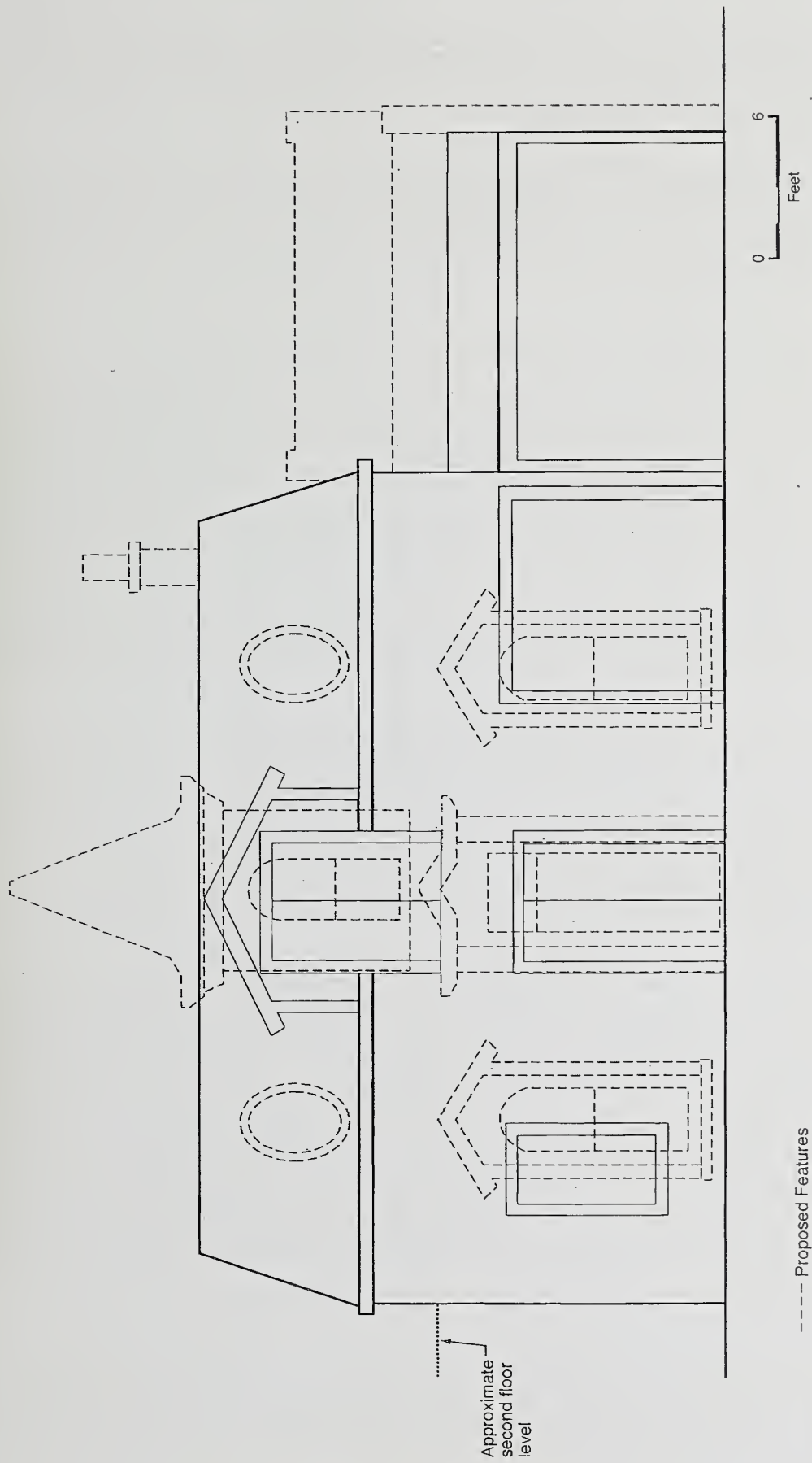
Carriage House and Garage



Front and South Side Facades of Carriage House



Front (Western) Facade of Main House at 280 Divisadero



Case No. 2001.1056E: 280 Divisadero Street (ESA 203259) ■

SOURCE: Richard Zillman

Figure 6
Existing Elevation with
Major Features of Proposed Design

II. SUMMARY OF POTENTIAL ENVIRONMENTAL EFFECTS

A. EFFECTS FOUND TO BE POTENTIALLY SIGNIFICANT

This Initial Study examines the 280 Divisadero Street Carriage House project to identify potential effects on the environment. On the basis of this Initial Study, project-specific effects have been determined to be potentially significant with regard to historic architectural resources. These impacts will be analyzed in the Environmental Impact Report (EIR).

B. EFFECTS FOUND NOT TO BE POTENTIALLY SIGNIFICANT

The following effects of the 280 Divisadero Street Carriage House project have been determined to be either insignificant or to be mitigated through measures included in the project: land use; visual quality/urban design; population and housing; transportation; noise; air quality, including shadow and wind; utilities/public services; biology; geology/topography; water; energy/natural resources; archaeological resources; and hazards. These issues are discussed below and require no further environmental analysis in the EIR.

III. ENVIRONMENTAL EVALUATION CHECKLIST AND DISCUSSION

A. COMPATIBILITY WITH EXISTING ZONING AND PLANS	<u>Not Applicable</u>	<u>Discussed</u>
1) Discuss any variances, special authorizations, or changes proposed to the City Planning Code or Zoning Map, if applicable.	<u> </u>	<u> X </u>
2) Discuss any conflicts with any adopted environmental plans and goals of the City or Region, if applicable.	<u> X </u>	<u> X </u>

The San Francisco General Plan, which provides general policies and objectives to guide land use decisions, contains some policies that relate to physical environmental issues. A conflict with a General Plan policy does not, in itself, indicate a significant effect on the environment. To the extent that physical impacts may result from such conflicts, such physical impacts are analyzed in this Initial Study. The General Plan contains many policies, which may address different goals. The Planning Commission, in deciding whether to approve the project, must decide whether, on balance, the project is consistent with the General Plan. In general, potential conflicts with the General Plan are considered by decision-makers (normally the Planning Commission) independently of the environmental review process, as part of the decision to approve, modify or disapprove a proposed project. Any potential conflict not identified here could be considered in that context, and would not alter the physical environmental effects of the proposed project. The project site is not within any of the adopted Area Plans of the General Plan.

The San Francisco Planning Code, including the City Zoning Maps, implements the San Francisco General Plan, and governs permitted uses, densities and configuration of buildings within San Francisco.

Permits to construct new buildings or to alter or demolish existing ones may not be issued unless the proposed project conforms to the Planning Code or an exception is granted pursuant to provisions of the Code.

This project site is located in within a NC-2 (Small-Scale Neighborhood Commercial) Use District that extends along both sides of Divisadero Street from Haight Street north to O'Farrell Street. The nearest residential district is a RM-3 (Residential, Mixed – Medium-Density) Use District that encompasses the eastern portion of the block on which the site is located.

The NC-2 district “is intended to serve as the City’s Small-Scale Neighborhood Commercial District. These districts are linear shopping streets which provide convenience goods and services to the surrounding neighborhoods as well as limited comparison shopping goods for a wider market. The range of comparison goods and services offered is varied and often includes specialty retail stores, restaurants, and neighborhood-serving offices. NC-2 Districts are commonly located along both collector and arterial streets which have transit routes.”² Residential units are a principal permitted use in the NC-2 district; the permitted residential density in a NC-2 district is one dwelling unit per 800 square feet of lot area,³ meaning that the maximum density on the project site is nine units. The NC-2 district also permits a variety of retail uses at the ground floor (less than 4,000 sq. ft. in floor area unless conditional use authorization is obtained). The project would comply with the use district controls.

The project site is within a 40-X height and bulk district (40-foot height limit; no bulk limit).

The proposed re-occupancy of the former carriage house as a second residential unit would be consistent with the requirements of the NC-2 district. The project would result in a density of 1 unit per approximately 3,435 square feet of lot area (site size of 6,875 sq. ft. ÷ 2 units = 1 unit per 3,437.5 sq. ft.), which is less than the maximum permitted density noted above. The project would not develop a building in excess of 40 feet in height, and therefore would be consistent with the 40-X Height and Bulk District.

Because the project site, including the former carriage house, composes City Landmark No. 190, the Charles L. Hinkel House, the project would require issuance by the Planning Commission of a Certificate of Appropriateness, pursuant to Article 10 of the Planning Code, Preservation of Historical, Architectural, and Aesthetic Landmarks. The project also would require approval of a variance to permit rehabilitation of the former carriage house, which is located within the required rear yard open space of the main house.⁴ Additionally, the former carriage house is set against the rear property line and very near the northern property line, while the existing carport, which is proposed to be converted to a garage with a roof deck, extends to approximately the southern property line. A variance would also be required to permit less than the required dimensions for side yards.

² San Francisco Planning Code, Section 711.1.

³ Planning Code, Section 711.91.

⁴ In general, Planning Code Sections 711.12 and 134(a)(1)(B) require a minimum rear yard at the ground level, if there are residential units at that level, equal to 25 percent of the lot depth, and not less than 15 feet.

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the City Planning Code to establish eight Priority Policies. These policies are: (1) preservation and enhancement of neighborhood-serving retail uses; (2) protection of neighborhood character; (3) preservation and enhancement of affordable housing; (4) discouragement of commuter automobiles; (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership; (6) maximization of earthquake preparedness; (7) landmark and historic building preservation; and (8) protection of open space. Prior to issuing a permit for any project which requires an Initial Study under the California Environmental Quality Act (CEQA), and prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the General Plan, the City is required to find that the proposed project or legislation is consistent with the Priority Policies. In reviewing the building permit application for the proposed project, the Redevelopment Agency would make the necessary findings of consistency with the Priority Policies.

Environmental plans and policies, like the Bay Area Air Quality Management District's *Clean Air Plan*, directly address physical environmental issues and/or contain standards or targets that must be met in order to preserve or improve specific components of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy.

B. ENVIRONMENTAL EFFECTS

All items on the Initial Study Checklist have been checked "No," except for the item regarding historic architectural resources, indicating that, upon evaluation, staff has determined that the proposed project could not have a significant adverse effect in those areas checked "No." For items where the conclusion is "To be Determined," the analysis will be conducted in the EIR. Several checklist items have also been checked "Discussed," indicating that the text includes discussion of that particular issue. For all of the items checked "No" without discussion, the conclusions regarding potential adverse environmental effects are based on field observation, staff and consultant experience on similar projects, and/or standard reference material available within the Planning Department such as the Department's *Guidelines for Environmental Review: Transportation Impacts*, or the California Natural Diversity Data Base and maps, published by the California Department of Fish and Game. For each Checklist item, the evaluation has considered the impacts of the project both individually and cumulatively.

1) <u>Land Use</u> - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Disrupt or divide the physical arrangement of an established community?	_____	<u>X</u>	<u>X</u>
(b) Have any substantial impact upon the existing character of the vicinity?	_____	<u>X</u>	<u>X</u>

The project is located in a mixed-use neighborhood that includes single-family dwellings and multi-family residential units above ground-floor commercial uses. The mix of uses is especially prevalent on Divisadero and Haight Streets.

The project would rehabilitate and reuse a single residential unit, which would be the second unit on the project site. The project would not result in any physical change readily noticeable outside of the project site, nor would it result in any change of land use on the site or in the neighborhood. Therefore, land use effects would be less than significant.

2) Visual Quality - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Have a substantial, demonstrable negative aesthetic effect?	<u> </u>	<u> X </u>	<u> X </u>
(b) Substantially degrade or obstruct any scenic view or vista now observed from public areas?	<u> </u>	<u> X </u>	<u> X </u>
(c) Generate obtrusive light or glare substantially impacting other properties?	<u> </u>	<u> X </u>	<u> X </u>

The carriage house that is proposed for renovation is not visible from Divisadero Street because it is located at the rear of a lot that slopes gently downward from the street, toward the east. Visual changes resulting from the project, therefore, would not be apparent to observers in public locations. The changes proposed by the project would be visible only from the existing residence and rear yard on the project site, and from neighboring buildings. In general, visual changes that are not publicly visible cannot be found to result in a substantial, demonstrable negative aesthetic effect. As noted, the changes would not be visible from public areas. As a single dwelling unit, the project would not generate obtrusive light or glare substantially impacting other properties. Therefore, the proposed project would not result in a significant effect upon visual quality.

3) Population - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Induce substantial growth or concentration of population?	<u> </u>	<u> X </u>	<u> X </u>
(b) Displace a large number of people (involving either housing or employment)?	<u> </u>	<u> X </u>	<u> X </u>
(c) Create a substantial demand for additional housing in San Francisco, or substantially reduce the housing supply?	<u> </u>	<u> X </u>	<u> X </u>

As rehabilitation of (and presumed re-occupancy of) a single residential unit, the project could not induce substantial growth or concentration of population. Because the former carriage house is not occupied at present, no displacement would occur. The project would create no new demand for housing in San Francisco, nor would it substantially reduce the housing supply; on the contrary, it would increase the

housing supply, although not to a meaningful degree in terms of demand. Based on the foregoing, the proposed project would not result in a significant effect upon population.

4) <u>Transportation/Circulation</u> - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system?	<u> </u>	<u> X </u>	<u> X </u>
(b) Interfere with existing transportation systems, causing substantial alterations to circulation patterns or major traffic hazards?	<u> </u>	<u> X </u>	<u> X </u>
(c) Cause a substantial increase in transit demand which cannot be accommodated by existing or proposed transit capacity?	<u> </u>	<u> X </u>	<u> X </u>
(d) Cause a substantial increase in parking demand which cannot be accommodated by existing parking facilities?	<u> </u>	<u> X </u>	<u> X </u>

As rehabilitation of (and presumed re-occupancy of) a single residential unit, the project could not cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system, nor would it cause a substantial increase in transit demand or in parking demand. Project trip generation would be 10 or fewer person-trips on a daily basis, and two or fewer person trips in the p.m. peak hour, according to the Planning Department's Transportation Impact Analysis Guidelines. Further, the project would not interfere with existing transportation systems. In sum, project operation would not result in any significant transportation impacts.

During project construction, there could be minor effects due to materials delivery and construction worker travel. However, these effects would be comparable to those of a typical residential construction or remodeling project, and would not significantly affect traffic or transit on Divisadero Street or surrounding streets. The project site provides adequate space for temporary off-street to accommodate several vehicles. No significant transportation impacts would be anticipated due to project construction.

5) <u>Noise</u> - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Increase substantially the ambient noise levels for adjoining areas?	<u> </u>	<u> X </u>	<u> X </u>
(b) Violate Title 24 Noise Insulation Standards, if applicable?	<u> </u>	<u> X </u>	<u> </u>
(c) Be substantially impacted by existing noise levels?	<u> </u>	<u> X </u>	<u> X </u>

The urban setting of the project area includes numerous sources of noise. Traffic noise normally is the dominant existing noise source, as is the case in most San Francisco neighborhoods. Generally, traffic must double in volume to produce a noticeable increase in noise levels. Given that the proposed project would not cause any meaningful increase in traffic volumes, the project would not cause a noticeable

increase in the ambient noise level in the project vicinity. Traffic noise therefore would not be significant.

Noise levels in the project area are typical of those in many parts of San Francisco outside downtown. Existing residential and commercial activities exist in close proximity in the project neighborhood, and traffic, particularly on Divisadero Street, creates moderately noisy conditions. Re-occupancy of the former carriage house as a residential unit would introduce additional sensitive noise receptors to the neighborhood, but the location of the carriage house, at the rear of the project yard, would substantially reduce noise levels there, compared to locations at the front property line. Occupants of the carriage house would be subject to the same noise levels as other residents in the immediate vicinity, and would not be substantially impacted by existing noise levels.

Construction of the proposed project would temporarily increase noise in the site vicinity. However, these effects would be comparable to those of a typical residential construction or remodeling project, and would not significantly affect noise in the project vicinity. Therefore, no significant construction noise impacts are anticipated.

All construction activities would be conducted in compliance with the San Francisco Noise Ordinance (Article 29 of the San Francisco Police Code). The Noise Ordinance requires that: 1) noise levels of construction equipment, other than impact tools, must not exceed 80 decibels (measured as dBA; a unit of measure for sound where dB denotes use of the A-weighted scale, which simulates the response to the human ear to various frequencies of sound) at a distance of 100 feet from the source; 2) impact tools must have intake and exhaust mufflers that are approved by the Director of the Department of Public Works to best accomplish maximum noise reduction; and 3) if the noise from the construction work would exceed the ambient noise levels at the property line of the site by five dBA, the work must not be conducted between 8:00 p.m. and 7:00 a.m., unless the Director of the Department of Public Works authorizes a special permit for conducting the work during that period. Project demolition and construction would comply with the Noise Ordinance. Compliance with the Noise Ordinance is required by law and would reduce any impacts to a less-than-significant level.

6) <u>Air Quality/Climate</u> - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation?	_____	<u> X </u>	<u> X </u>
(b) Expose sensitive receptors to substantial pollutant concentrations?	_____	<u> X </u>	<u> X </u>
(c) Permeate its vicinity with objectionable odors?	_____	<u> X </u>	_____
(d) Alter wind, moisture or temperature (including sun shading effects) so as to substantially affect public areas, or change the climate either in the community or region?	_____	<u> X </u>	<u> X </u>

Air Quality

The Bay Area Air Quality Management District (BAAQMD) has established thresholds for projects requiring detailed air quality analysis. These thresholds are based on the minimum size of projects which the District considers capable of producing air quality problems due to vehicular emissions. Generally, the BAAQMD does not recommend a detailed air quality analysis for projects that would generate fewer than 2,000 vehicle trips per day (BAAQMD *CEQA Guidelines*, revised December 1999). As noted in Section 4, Transportation, the proposed project would generate 10 or fewer daily *person*-trips. Even in the unlikely case that all person-trips would be vehicle trips, the proposed project would not exceed this minimum standard. Project vehicle-trips would generate negligible emissions. Therefore, the project would not result in any significant air quality impacts due to vehicular emissions.

Construction emissions would occur in short term and temporary phases due to powered (gasoline or diesel) equipment and, because of the size of the site, would not the potential to cause adverse effects on local air quality. No substantial excavation is proposed, and most construction activity, with the exception of materials delivery, likely would be hand work. Therefore, the proposed project would not result significant construction-related air quality effects.

Shadow and Wind

The project, involving a building less than 40 feet in height, would not be subject to Section 295 of the Planning Code (the Sunlight Ordinance), which protects certain public open spaces from shadowing by new and enlarged structures. The project would not cast shadow on any public open spaces.

Wind impacts are generally caused by large building masses that extend substantially above their surroundings, and by buildings oriented such that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. The project would not involve such construction.

Therefore, the project would not result in significant effects related to shadow or wind.

7) <u>Utilities/Public Services</u> - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Breach published national, state or local standards relating to solid waste or litter control?	<u> </u>	<u> X </u>	<u> </u>
(b) Extend a sewer trunk line with capacity to serve new development?	<u> </u>	<u> X </u>	<u> </u>
(c) Substantially increase demand for schools, recreation or other public facilities?	<u> </u>	<u> X </u>	<u> </u>
(d) Require major expansion of power, water, or communications facilities?	<u> </u>	<u> X </u>	<u> </u>

Utilities and public services are already provided in the project area. The proposed project would incrementally increase demand for and use of public services and utilities on the site, but not in excess of amounts expected and already provided for in the area. Thus, the proposed project would not be expected to have a measurable impact on public services or utilities.

8) <u>Biology</u> - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Substantially affect a rare or endangered species of animal or plant or the habitat of the species?	<u> </u>	<u> X </u>	<u> </u>
(b) Substantially diminish habitat for fish, wildlife or plants, or interfere substantially with the movement of any resident or migratory fish or wildlife species?	<u> </u>	<u> X </u>	<u> </u>
(c) Require removal of substantial numbers of mature, scenic trees?	<u> </u>	<u> X </u>	<u> </u>

The project site is a residential rear yard that already is occupied by an existing structure, a former carriage house. The project would not expand the building footprint. No significant effects on biological resources would occur as a result of the project.

9) <u>Geology/Topography</u> - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Expose people or structures to major geologic hazards (slides, subsidence, erosion and liquefaction).	<u> </u>	<u> X </u>	<u> X </u>
(b) Change substantially the topography or any unique geologic or physical features of the site?	<u> </u>	<u> X </u>	<u> </u>

The San Francisco General Plan Community Safety Element contains maps that show areas of the City subject to geologic hazards. Like all of San Francisco and the Bay Area, the project site is located in an area subject to groundshaking from earthquakes along the San Andreas and Northern Hayward Faults and other faults in the San Francisco Bay Area. The project site is located in an area subject to "non-

structural” damage (Modified Mercalli Intensity VII) from seismic groundshaking originated by a characteristic earthquake (Moment Magnitude 7.1) along the San Andreas Fault approximately six miles southwest of San Francisco, and the Northern Hayward Fault approximately 12 miles northeast of San Francisco (Maps 2 and 3 of the Community Safety Element). During a strong earthquake on a segment of one of the nearby faults, strong to very strong shaking is expected to occur at the project site. The project site is not within areas designated by the California Geological Survey as a “Seismic Hazard Zone,” either for liquefaction or for earthquake-induced landslides, pursuant to the Seismic Hazards Mapping Act,⁵ although a liquefaction hazard zone is identified as being just north of the block on which the project site is located.

The project site is not in an Alquist-Priolo Special Studies Zone,⁶ and no known active fault exists on or in the immediate vicinity of the site. The closest active faults are the San Andreas Fault, approximately 8 miles southwest of downtown, and the Hayward Fault, about 16 miles northeast of downtown. Like the entire San Francisco Bay Area, the project site is subject to groundshaking in the event of an earthquake on these faults, although surface rupture at the site is unlikely.

Excavation to a depth of about 4 feet would be required for construction of the new perimeter foundation. The project would not alter the topography of the site.

The final building plans will be reviewed by the Department of Building Inspection (DBI). In reviewing building plans, the DBI refers to a variety of information sources to determine existing hazards and assess requirements for mitigation. Sources reviewed include maps of special geologic study areas and known landslide areas in San Francisco, as well as the building inspectors’ working knowledge of areas of special geologic concern. To ensure compliance with all San Francisco Building Code provisions regarding structural safety, when DBI reviews the building plans for a proposed project, it will determine necessary engineering and design features for the project to reduce potential damage from groundshaking. Therefore, potential damage to structures from geotechnical hazards on a project site would be mitigated through DBI review of the building permit application (and requirement for a geotechnical report, if determined necessary), pursuant to DBI implementation of the Building Code.

In light of the above, the project would not result in a significant effect related to geology.

⁵ The Seismic Hazards Mapping Act was enacted in 1990 to protect the public from the effects of strong groundshaking, liquefaction, landslides, and other ground failure, and from other hazards caused by earthquakes. This act requires the State Geologist to delineate various seismic hazard zones and requires cities, counties, and other local permitting agencies to regulate certain development projects within these zones.

⁶ California State Department of Conservation, *Cities and Counties Affected by Alquist-Priolo Earthquake Fault Zones as of May 1, 1999*, [<http://www.consrv.ca.gov/CGS/rghm/ap/affected.htm>]; reviewed September 6, 2003.

10) <u>Water</u> - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Substantially degrade water quality, or contaminate a public water supply?	_____	<u>X</u>	_____
(b) Substantially degrade or deplete ground water resources, or interfere substantially with ground water recharge?	_____	<u>X</u>	_____
(c) Cause substantial flooding, erosion or siltation?	_____	<u>X</u>	_____

The project would not change the amount of impervious surface area, as it would rehabilitate an existing structure – the former carriage house – and, therefore, would not measurably affect runoff or groundwater recharge. Therefore, neither groundwater resources nor runoff and drainage would be adversely affected.

11) <u>Energy/Natural Resources</u> - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	_____	<u>X</u>	<u>X</u>
(b) Have a substantial effect on the potential use, extraction, or depletion of a natural resource?	_____	<u>X</u>	_____

The project would meet current state and local codes concerning energy consumption. For this reason, it would not cause a wasteful use of energy. Therefore, effects related to energy consumption would not be significant.

12) <u>Hazards</u> - Could the Project:	<u>Yes</u>	<u>No</u>	<u>Discussed</u>
(a) Create a potential public health hazard or involve the use, production or disposal of materials which pose a hazard to people or animal or plant populations in the area affected?	_____	<u>X</u>	<u>X</u>
(b) Interfere with emergency response plans or emergency evacuation plans?	_____	<u>X</u>	<u>X</u>
(c) Create a potentially substantial fire hazard?	_____	<u>X</u>	<u>X</u>

Hazardous Building Materials

The former carriage house essentially constitutes a wooden box, with most of the interior walls (to the extent they existed) stripped away and minimal remaining utilities installed. The most likely potential for hazardous building materials to exist involves lead-based paint and asbestos, removal of which are heavily regulated in both instances, and therefore which are unlikely to present a potential for significant impacts.

Given the age of the structure, lead paint may be found on the exterior, and possibly in the interior, of the former carriage house. Any demolition of materials containing lead paint, such as exterior siding to be replaced, must comply with Chapter 36 of the San Francisco Building Code, Work Practices for Exterior Lead-Based Paint. Where there is any work that may disturb or remove lead paint on the exterior of any building built prior to December 31, 1978, Chapter 36 requires specific notification and work standards, and identifies prohibited work methods and penalties. (The reader may be familiar with notices commonly placed on residential and other buildings in San Francisco that are undergoing re-painting. Generally affixed to a drape that covers all or portions of a building, these notices are a required part of the Chapter 36 notification procedure.)

Chapter 36 applies to buildings or steel structures on which original construction was completed prior to 1979 (which are assumed to have lead-based paint on their surfaces), where more than ten total square feet of lead-based paint would be disturbed or removed. The ordinance contains performance standards, including establishment of containment barriers, at least as effective at protecting human health and the environment as those in the HUD Guidelines (the most recent Guidelines for Evaluation and Control of Lead-Based Paint Hazards) and identifies prohibited practices that may not be used in disturbance or removal of lead-based paint. Any person performing work subject to the ordinance shall make all reasonable efforts to prevent migration of lead paint contaminants beyond containment barriers during the course of the work, and any person performing regulated work shall make all reasonable efforts to remove all visible lead paint contaminants from all regulated areas of the property prior to completion of the work.

The ordinance also includes notification requirements, contents of notice, and requirements for signs. Notification includes notifying bidders for the work of any paint-inspection reports verifying the presence or absence of lead-based paint in the regulated area of the proposed project. Prior to commencement of work, the responsible party must provide written notice to the Director of the Department of Building Inspection, of the location of the project; the nature and approximate square footage of the painted surface being disturbed and/or removed; anticipated job start and completion dates for the work; whether the responsible party has reason to know or presume that lead-based paint is present; whether the building is residential or nonresidential, owner-occupied or rental property, approximate number of dwelling units, if any; the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and the name, address, telephone number, and pager number of the party who will perform the work. (Further notice requirements include Sign When Containment is Required, Notice by Landlord, Required Notice to Tenants, Availability of Pamphlet related to protection from lead in the home, Notice by Contractor, Early Commencement of Work [by Owner, Requested by Tenant], and Notice of Lead Contaminated Dust or Soil, if applicable.) The ordinance contains provisions regarding inspection and sampling for compliance by DBI, and enforcement, and describes penalties for non compliance with the requirements of the ordinance.

These regulations and procedures by the San Francisco Building Code would ensure that potential impacts of demolition, due to lead-based paint, would be reduced to a level of insignificance.

Asbestos-containing materials could be found within the existing building, although most potential sources of asbestos, such as heating ducts and chimneys, are not extant within the former carriage house. Section 19827.5 of the California Health and Safety Code requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. The Bay Area Air Quality Management District (BAAQMD) is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished/alterd including size, age and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The District randomly inspects asbestos removal operations. In addition, the District will inspect any removal operation when a complaint has been received.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos-containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement is to occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Pursuant to California law, the DBI would not issue the required permit until the applicant has complied with the notice and abatement requirements described above.

These regulations and procedures, already established as a part of the permit review process, would insure that any potential impacts due to asbestos would be reduced to a level of insignificance.

Fire Hazards

San Francisco ensures fire safety primarily through provisions of the Building Code and the Fire Code. Existing and new buildings are required to meet standards contained in these codes. The proposed project would conform to these standards, which (depending on the building type) may also include development of an emergency procedure manual and an exit drill plan. In this way, potential fire hazards (including those associated with hydrant water pressure and emergency access) would be mitigated during the permit review process.

As rehabilitation and presumed re-occupancy of a single residential unit, the project would not result in any significant effects on emergency response plans or emergency evacuation plans.

Conclusion

Remediation of hazardous building materials, if present, is strictly regulated by federal, state, and local law and regulations. In view of the above, the proposed would have no significant impacts related to hazards.

13) **Cultural** - Could the Project:

Yes

No

Discussed

- (a) Disrupt or adversely affect a prehistoric or historic archaeological site or a property of historic or cultural significance to a community or ethnic or social group; or a paleontological site except as a part of a scientific study?

X

X

- (b) Conflict with established recreational, educational, religious or scientific uses of the area?

X

- (c) Conflict with the preservation of buildings subject to the provisions of Article 10 or Article 11 of the City Planning Code?

TO BE DETERMINED

Archaeological Resources

Excavation to a depth of about 4 feet would be required for construction of the new foundation and for installation of utilities that would run to the former carriage house from Divisadero Street. It is not anticipated that any substantial amount of soil would be removed from the site. Therefore, the project does not have the potential to disturb subsurface cultural resources, should such resources be present.

Architectural Resources

The project site, including the former carriage house, constitutes City Landmark No. 190, the Charles L. Hinkel House, a landmark designated pursuant to Article 10 of the Planning Code. The EIR will evaluate the project's potential effect on this resource.

C. OTHER

Could the Project:

Yes

No

Discussed

Require approval and/or permits from City Departments other than Department of City Planning or Bureau of Building Inspection, or from Regional, State or Federal Agencies?

X

APPROVALS

A list of approvals and permits necessary for the project is presented under Compatibility with Existing Zoning and Plans, p. 9.

NEIGHBORHOOD CONCERNS

Neighbors of the project site, including those with private views of the site, have commented favorably on the proposed project.

D. MITIGATION MEASURES

	<u>Yes</u>	<u>No</u>	<u>N/A</u>	<u>Discussed</u>
1) Could the project have significant effects if mitigation measures are not included in the project?	<u>X</u>	<u> </u>	<u> </u>	<u>X</u>
2) Are all mitigation measures necessary to eliminate significant effects included in the project?	<u>X</u>	<u> </u>	<u> </u>	<u>X</u>

No significant impacts have been identified, with the possible exception of effects on historic architectural resources, which will be evaluated in the EIR. No mitigation measures are required for impacts analyzed in this Initial Study.

E. ALTERNATIVES

The EIR will evaluate alternatives to the proposed project, including:

1. No Project. The former carriage house would not be renovated, and would not be re-occupied as a residential unit.
2. Landmarks Preservation Advisory Board (LPAB)-Recommended Project. The former carriage house would be renovated consistent with direction provided to the sponsor by the LPAB.

Additional alternatives to the proposed project may be developed during preparation of the EIR.

F. MANDATORY FINDINGS OF SIGNIFICANCE

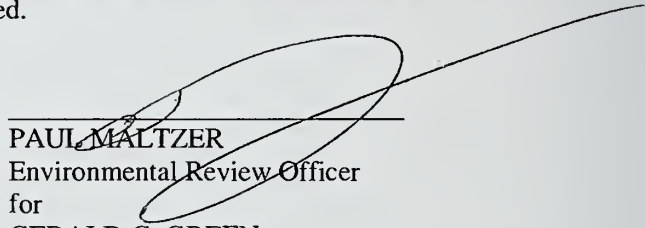
Yes No Discussed

- | | | | |
|---|-------|--------------|--------------|
| 1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory? | _____ | <u> X </u> | <u> X </u> |
| 2) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? | _____ | <u> X </u> | _____ |
| 3) Does the project have possible environmental effects which are individually limited, but cumulatively considerable? (Analyze in the light of past projects, other current projects, and probable future projects.) | _____ | <u> X </u> | <u> X </u> |
| 4) Would the project cause substantial adverse effects on human beings, either directly or indirectly? | _____ | <u> X </u> | _____ |

G. ON THE BASIS OF THIS INITIAL STUDY

- _____ I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared by the Department of City Planning.
- _____ I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because Mitigation Measures in the discussion above have been included as part of the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- X I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

MARCH 19, 2004
Date



PAUL MALTZER
Environmental Review Officer
for
GERALD G. GREEN
Director of Planning
Planning Department

APPENDIX B

Secretary of the Interior's Standards for Rehabilitation

Presented below are the Secretary of the Interior's Standards for Rehabilitation, as codified in National Park Service regulations (36 CFR 68) and included in the 1995 National Park Service publication *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Properties*, by Kay D. Weeks and Anne E. Grimmer, which is referenced in Section 15064.5 of the state CEQA Guidelines. (A slightly different version of the Secretary's Standards for Rehabilitation is codified separately for use in the federal Historic Preservation Tax Incentives program (36 CFR 67), under which property owners of certain historic properties can gain tax credits for restoring those properties.)

"Rehabilitation" is defined as "the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values." According to Weeks and Grimmer, "The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility."

Standards for Rehabilitation

- 1) A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
- 2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
- 3) Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
- 4) Changes to a property that have acquired historic significance in their own right will be retained and preserved.
- 5) Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- 6) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in

design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

- 7) Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
- 8) Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
- 9) New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- 10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

APPENDIX C

Historic Architectural Review

(December 7, 2005)

December 7, 2005

280 DIVISADERO

Historic Architectural Evaluation of Proposed Project

The purpose of this correspondence is to provide an evaluation of proposed new construction on an historic property. The primary question of this evaluation is whether the proposed project meets the applicable Secretary of the Interior's Standards for Rehabilitation (the Standards). A secondary question, addressed in summary and in closing, is how a proposed alternative design satisfies the Standards. (This evaluation does not address the removal of the existing structure, which the proposed project is intended to replace.)

The proposed project is the construction of a new, detached residential building upon an existing residential property at 280 Divisadero Street, that is a City of San Francisco Landmark. The property consists of a large and grand Victorian single-family residence, its lot and landscape, and the remnants of a former second unit/carriage house with an attached carport that is presently unused. The proposed second residential unit would occupy the footprint of the former second unit/carriage house and carport, located behind the main residence across the very rear of the property.

The proposed project is a detached, second residential unit with an attached garage. It is, relative to main residence, a small, freestanding structure, with an exterior design that is eclectically traditional, perhaps best described as Neo-Victorian — the Victorian having famously blended various picturesque architectural styles. The dominant period characteristics — a crested French or mansard roofline with ovoid dormer windows, with the likeness of a central tower — are after the Second Empire style, apparently as a recognition of the dominant style of the historic main house. Yet, other proposed features — including doors, windows and their surrounds — are more Italianate in character. As noted, the proposed design is very eclectic and, in fact, exuberantly so. On paper, it fools the eye into perceiving it as a full size building, but it isn't. It is a small building disguised as a big building. In this sense, coupled with its eclectic exuberance, it is an architectural fantasy.

However, while the proposed project replaces the former second unit/carriage house, it does not attempt to recreate the design of a carriage house. It is also noteworthy that no specific exterior features of the proposed design attempt to match any features of the historic main residence. The style and detailing of the proposed new unit are only typically related to the historic main residence.

The following lists each of the ten Standards, while highlighting (**bold**) and specifically addressing those which are applicable to proposed new construction on an historic property:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

The historic, residential use of the property will not be altered by the proposed project.

The earlier second unit/carriage house was converted, before 1960, from its original carriage house usage, including the modification of the building exterior, to a residential use. The proposal is to maintain the legal, residential use of the property.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

No historic features, spaces or spatial relationships that characterize the property will be altered by the project.

The space of the original open and landscaped lot that surrounds the main house on two sides – the south and east, is intact. The historic character of the lot is identified as “large” and, thus, “allow[ing] space for landscaping and a carriage house.” The proposed project would construct a new residential building with a garage on the footprint of the earlier second unit/carriage house and carport at the rear of the site. The proposed new structure would reflect the built volume of the earlier, excepting for a proposed central “tower”, the cupola of which would rise above the height of the earlier building. And the garage would slightly enlarge the volume of the earlier carport, as well as being an enclosed rather than open structure.

Despite the impression that the design drawing presents – that of a large building – the proposed design is for a relatively small, 2-story residential unit with attached garage, placed along the rear lot line, and behind what is in reality a relatively very large and grand residence. While the proposed exterior design is expressive rather than modest, the proposed building remains subordinate to the main house.

The identified historic relationships and characteristics of the property will not be altered by the proposed project, as it would, for example, by the intrusion of a new building on a different part of the site, or by a building of a substantially different size or volume.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

With regard to this Standard, the issue is whether the neo-Victorian exterior design of the proposed structure would result in an edifice that may be confused as historical.

Traditionally, a carriage house would be a logical component to a 19th century residential property such as this. However, as noted above, the new design is not a carriage house, but a small residential unit with an attached garage. While the pattern of historical development that is manifest in this historic property is identified as consisting of a main house on a large lot with landscaping and a carriage house, there is no precedent for the second residential unit in that historical pattern. From this perspective, the proposed new unit would not create a false sense of historical development, since it does not satisfy the historic development equation.

As far as the neo-Victorian exterior design is concerned, there is some evidence that a design of such formality would have existed during this historical period. Indeed, the project sponsor apparently intends that the design have some sense of authenticity to the historical period and property. Thus, there is reason to acknowledge that the design is conjectural to the extent that

some false sense of historical development could occur.

Yet, that potential conjectural aspect is offset by the aforementioned fact that this is not a carriage house, and that such a second residential unit, that of a small house with an attached garage, would not have occurred as a building type in the context of the historical period.

The design is also apparently intended less as conjecture, than as a design made to be compatible to the historic residence. Yet, the exterior design of the new unit and that of the historic residence are not equivalent, as the scale, form and features of each are very distinct from one another. Thus, a comparison between the two will easily reveal their individual aspects, and lead the observer to the conclusion that this new unit is of a different time and place than that of the historical property.

Moreover, the proposed project is for a new structure that will differ from the historic property and building with respect to their construction and materials. It will also have a development record that will, presumably, be traceable for the foreseeable future.

Finally, the proposed new unit is not visible to the public, as it is located at the rear of a private residential property, without any visibility from the public way. Thus, there is no question of whether this structure will be experienced, in passing, by the general public. It will not. Rather, it will be a specialized and discerning public that will observe and interpret the proposed new structure.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

Not applicable.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

No distinctive features of the historic property or residence will be effected by the proposed project.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Not applicable.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Not applicable.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

Not applicable.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

The proposed construction of a new residential unit will not destroy or alter any identified historic materials, features, patterns, or relationships of the property or of its primary residence.

Here again, as under Standard 3, the remaining issue is about differentiation and compatibility. As discussed above, the new design is unique and different, even while representational of Victorian architecture. At the same time, it is of a scale and location that are appropriate to the historical pattern of development of this property, infilling the footprint of the previous second unit/carriage house at the rear of the property.

As also discussed above, the proposed exterior design is eclectic and exuberant, and, as such, has the character of an architectural fantasy. Authentic Victorian architecture is, at its best, fantastic, as is the historic residence on this property, both inside and out.

The proposed building is an earnest interpretation of the Victorian style of the historic residence. At the same time, it does not mimic that residence. Given the fantastic character of the proposed design, there will be no one fooled into perceiving that its architecture is historical.

Therefore, in the opinion of this reviewer, the proposed project is sufficiently different from the historical and, since it is intentionally in keeping with the architectural style of the historic residence, it is also compatible.

10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

As a freestanding structure, and one built on the footprint of the previous structure, the proposed new unit is removable without altering the identifiable form and character of the historic property.

Alternative Designs

Several alternative designs have been proposed for this project, one of which has been included in the DEIR. This alternative design is based on the form of the existing accessory structure, with design alterations intended to provide a sense of what the former carriage house may have been, merged with the project sponsor's requirements for a second residential unit, including the addition of an enclosed garage with a roof deck.

With respect to the Standards, the alternative design is no more consistent — again emphasizing that the proposed structure, in both instances, would be new. It would be much the same building as the proposed project in every respect except for the degree of ornamentation. In the opinion of this reviewer, a more modest exterior design would be no more compatible, since modesty is not necessarily the priority when it comes to interpreting the historic architecture of this period. The placement of the new residential building establishes the relationship between the primary and historic residence, and this secondary building.

APPENDIX D

Planning Department Preservation Technical Specialist Memoranda

(November 20, 2006, and July 12, 2004)



PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California •

MAIN NUMBER
(415) 558-6378
4TH FLOOR
FAX: 558-6426

DIRECTOR'S OFFICE
PHONE: 558-6411

5TH FLOOR
FAX: 558-6409

ZONING ADMINISTRATOR
PHONE: 558-6350


MAJOR ENVIRONMENTAL
FAX: 558-5991

PLANNING INFORMATION
PHONE: 558-6377

INTERNET WEB SITE
SFGOV.ORG/PLANNING

COMMISSION CALENDAR
INFO: 558-6422

INTEROFFICE MEMORANDUM

TO: VIKTORIYA WISE
FROM: N. MOSES CORRETTE 
SUBJECT: 2001.1056E 280 DIVISADERO STREET CARRIAGE HOUSE; LANDMARK #190
DATE: 11/20/2006
CC: MARK LUELLEN, PRESERVATION COORDINATOR

I have been asked to address the proposed new construction to be located on the site of the current carriage house. Specifically, I have been asked to determine if the proposed new construction results in a substantial adverse change to the significance of the Hinkel House property. This analysis is for the California Environmental Quality Act, and does not address compliance with Article 10 of the Planning code, which must also be met. The Department had not received any materials to review from a preservation consultant to address the issue of new construction at the time of the July 12, 2004 assessment of the project. In that memorandum to Major Environmental Analysis of 2004, I stated:

"It is unlikely that the project itself would have any material impairment to the main residence, the other part of the landmark site. There will be resulting impairments of the setting and feeling of the landmark site overall, with a change of the relationship between the two buildings as primary residence, and ancillary structure."

I used the term "material impairment" above, as a layperson, to mean that no physical harm would occur to the main house – barring of course an accident where heavy equipment were to cause damage to the landmark building.

On December 7, 2005, Mark Hulbert (Preservation Architecture) presented arguments in support of the proposed project (His evaluation was limited to new construction following the removal of the existing carriage house) in an analysis of the project against the Secretary of the Interior's Standards: (please refer to Hulbert report alongside staff analysis below)

1. **A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.**

Staff analysis of the new construction project (following the voluntary demolition of the existing carriage house) finds that it fails to meet this standard, as it would create an adverse change to the site and the environment. The design of the building's exterior is not consistent with the historic relationship of structures on the site, by creating a second primary edifice, and not maintaining the visual appearance of a secondary structure. The

measure of minimal change required to execute the project in order to meet this Standard is not met.

NOTE: Consultant analysis does not accurately reflect the permit records for the existing carriage house, which will have been demolished, and the use therefore abandoned – necessitating a variance for the new construction.

- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.**

The consultant argues that the spatial relationships between the two structures will not be adversely affected, and that the new building will be subordinate to the main house. It is true that the new building will occupy the same location and volume as the present carriage house; however, the character of the space between the two buildings will be altered.

- 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.**

The consultant produced an incoherent argument and an unsubstantiated conclusion. The Department's review concluded that, the proposed new building produces a near pure textbook example of conjectural features with architectural elements applied to an acceptable volume that exceeds the complexity of a secondary structure on a landmark site.

In the case at hand, the extant carriage house is *unchanged* from the time it was formally designated as Landmark #190, and the structure itself is the historical record of the development of the site, obviating the need for any conjectural elements in the new construction.

Embellishing simple unadorned facades with high-style details, or adding features borrowed from a different period should be avoided. Conjectural changes create a false sense of historical development and are contrary to the Secretary of the Interior's Standards for Rehabilitation.¹ The proposed project fails to meet the Standards because the construction misrepresents the historic appearance of the site. If the added features were removed, and the façade simplified in a meaningful way, the historic appearance of the ancillary structure could be reestablished and the project could meet the Standards.

- 4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.**

Not applicable to the new construction.

- 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.**

Not applicable to the new construction.

- 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.**

¹ Interpreting the Standards Bulletin #38: Alterations Without Historical Basis:
<http://www.cr.nps.gov/hps/TPS/tax/ITS/its-38.pdf>

Not applicable to the new construction.

7. **Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.**

Not applicable to the new construction.

8. **Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.**

Not applicable to the new construction.

9. **New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.²**

As a separate structure on the historic site, it will not call for the destruction of historic materials that characterize the remaining Hinkel House. By virtue of being a separate building of new construction, it is differentiated from the Hinkel House. The proposed structure is planned to be of wood frame construction and is consistent with the massing, size and scale as the historic carriage house. As proposed, the design is not compatible with the architectural features of the property and its environment. Advice given to the applicant to simplify the design of the façade has been given by several members of the Planning Department Staff (2001-present), the Architectural Review Committee (December 19, 2001), and most attending members of the Landmarks Board hearing (September 18, 2002). The Department's experts, the Architectural Review Committee, and the Landmarks Board all concur that the architectural features of the proposed building are more exuberant than the original elements of the carriage house, and do not reflect the elements of either a generalized ancillary building, or the main house. With the high level of ornamentation, the proposed design competes with the historic building instead of being harmonious with it, and is therefore incompatible.

Below are some guidelines promulgated by the Secretary of the Interior for new construction on historic sites:

- Be distinguishable from the historic building; (~~met~~)
- NOT be highly visible; (~~met~~)
- Blend in with the historic building; and (~~not met~~)
- Be subordinate to the historic building. (~~not met~~)

Strictly reviewed as a new construction, the proposed building is a separate structure, distinguishable from the remaining historic building. It is planned to be located at the rear of the lot, not highly visible from the public view. The proposed design does not blend with the historic building, as it creates a false sense of development of the site with a highly ornamented residential building in the historical location of a simple utilitarian carriage house. A new building with residential use and utilitarian character could meet the Secretary of the Interior's Standards for the site. As proposed, the new building would not appear to be subordinate to the historic Hinkel House in any terms other than location. It would appear to be a second historical dwelling of equal or greater ornamentation.

² The National Park Service has detailed information: http://www.cr.nps.gov/hps/tps/tax/incentives/avoiding_14.htm

The remaining historic building would appear as but one element of a new composition bearing little relationship to the historic appearance of the property. As a result, the historic character of the overall property and its environment would be destroyed.

- 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

The Department concurs with the consultant's assessment.



PLANNING DEPARTMENT

City and County of San Francisco • 1660 Mission Street, Suite 500 • San Francisco, California • 94103-2414

MAIN NUMBER
(415) 558-6378

DIRECTOR'S OFFICE
PHONE: 558-6411

4TH FLOOR
FAX: 558-6426

ZONING ADMINISTRATOR
PHONE: 558-6350

5TH FLOOR
FAX: 558-6409

PLANNING INFORMATION
PHONE: 558-6377

MAJOR ENVIRONMENTAL
FAX: 558-5991

COMMISSION CALENDAR
INFO: 558-6422

INTERNET WEB SITE
SFGOV.ORG/PLANNING

MEMORANDUM

TO: Nannie R. Turrell, Major Environmental Analysis Unit

CC: A. Green, Recording Secretary, Landmarks Preservation Advisory Board
O. Chavez/Historic Resource Impact Review File

FROM: N. Moses Corrette, Preservation Technical Specialist

REVIEWED BY: Neil Hart, Chief of Neighborhood Planning / Preservation Coordinator

DATE: July 12, 2004

RE: Address 280 Divisadero Carriage House
Block 1238, Lot 23
Case No. 2001.1056E
Historic Resource Project Impact Evaluation (EIR review)

PROPOSED PROJECT

1. Project Description

Rehabilitation of vacant carriage house for residential use.

2. Property Description

The subject building is a utilitarian structure at the rear of a high-style Victorian residence. The main form of the building is that of a rectangular one-and-a-half story carriage house, with the upper floor under a mansard roof at the northeast corner of the lot. The western façade of the building faces the interior of the lot, and the rear of the main residence. The southern elevation is partly exposed, and sheltered by a carport that fills the gap to the property line. The northern and eastern elevations of the building are located on the property line. The building itself is about 35 feet wide, and 21 feet deep, with the adjacent open carport being about 15 feet wide, and 20 feet deep.

As the building exists today, the front of the building is located slightly below grade, and the rear of the building at the rear property line is elevated about three feet from grade.

The interior's exposed framing gives clues to the building's possible original appearance, which is not terribly different from what is found on the façade today. The main building form is as it was constructed. The upper floor and mansard roof shape and centrally placed dormer are likewise original. The opening within the dormer is original, however, the door has been replaced with a glass window, and a metal railing applied to the lower portion. The lower façade

has seen some change. In three building bays, the first bay contains a single 4/4 wood sash window, the central bay contains a pair of doors together wide enough for human or horse. The third bay contains an opening large enough for a carriage or automobile, but is now boarded from the interior.

3. Historic Rating/Survey

The Charles L. Hinkel House and Carriage House are together City Landmark # 190. They are included in the survey and book, "Here Today", and published on page 127. They were also included in the Planning Department's 1976 Architectural Survey.

4. Historic District/Neighborhood Context

There is no existing or proposed historic district in the adjacent area. The property is located about two blocks from the San Francisco locally listed Alamo Square Historic District, and two blocks from the California Register District in Hayes Valley.

EVALUATION / ANALYSIS

1. History

See Landmark Designation Report

Note: a variance was granted in 1988/9 to legalize the use of the carriage house for a dwelling; however, there do not appear to be any completed building permits that followed the entitlements, which may themselves have now expired.

2. Period of Significance

(include date of construction if eligible for architecture only)

See Landmark Designation Report

3. Character-Defining Features

The character-defining features of the carriage house are: the size and location of the building on the lot, the mansard-shaped roof, the horizontal shiplap siding, the original 4/4 wood double-hung window in the first building bay, an opening wide enough to admit the entry of a carriage and the second floor opening to the hayloft (although the openings themselves may be partially infilled), and the horizontal pole above the hayloft opening from which to hang a pulley.

4. Integrity

The subject property has retained or lacks integrity from the period of significance noted above, as follows:

location,	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	(slightly diminished)
design,	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	
materials,	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	
workmanship,	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	
setting,	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	
feeling,	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	
association.	<input checked="" type="checkbox"/> Retains	<input type="checkbox"/> Lacks	

The carriage house is in need of repair. The physical condition of the building is poor. In recent years, the roof has been replaced and/or repaired to the extent that it no longer allows water to intrude from above. The siting of the building at the front of the building at grade has led to the deterioration of the wooden sills, and the lower portion of the vertical framing members. The building noticeably sags down towards the center of the building. Two ad-hoc supports have been added to the interior space of the ground floor to shore the structure, and appear to have served this function for many years.

The integrity of the building is high. The only aspect of integrity that may have been diminished is that of design. The area of the building that has lost some design integrity is the ground floor second and third building bays. This is further limited by the absence of any specific knowledge of when the changes to the façade occurred. The siding on the exterior could be replaced, as it does not match the interior framing, or the owner could have altered the plan before the building was completed. It is assumed that if the façade has been altered, the change occurred in the first quarter of the 20th century with the improvements of transportation and the changing from reliance of horses to the acquisition of the automobile.

DETERMINATION

1. **Since the property is an historical resource, is the proposed project as currently proposed consistent with the Secretary of Interior's Standards or if any proposed modifications would materially impair the resource (i.e. alter in an adverse manner those physical characteristics which justify the property's inclusion in any registry to which it belongs).**

The proposed project would entail the near reconstruction of the existing building into a two-story residence. Elements of the existing building that would remain would include an augmented framing system, the majority of the exterior cladding, and the mansard roof design. The proposed façade, as presently submitted for review will no longer maintain the constituent components of a carriage house. Should the proposed project proceed as submitted, the resulting building would maintain integrity of location, workmanship and setting only, losing integrity of design, materials, feeling and association.

As proposed, the project is inconsistent with the following Secretary of the Interior's Standards for Rehabilitation:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

The building is a carriage house, which has had periodic residential uses on the upper floor. The residential uses historically have not altered the façade beyond the insertion of a sliding glass door into the pre-existing opening of the hayloft.

2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

The project as proposed will not maintain the character of a carriage house, but will produce a building that appears strictly residential. It entails the removal of the existing dormer, and façade openings that characterize the building as a carriage house.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements, from other buildings, shall not be undertaken.

There is no physical or other documentary evidence to demonstrate to suggest that this carriage house – itself an historic resource, ever had a greater level of ornamentation than what exists today. Additional ornamentation is purely conjectural, and serves merely to disguise the historic functions of the building.

4. Most Properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

It is not known if the existing façade arrangement is altered or original, therefore pending further investigation of the building, it can not be conclusively determined if there have been changes to the building, and when they may have occurred. If they occurred within the period of significance, the changes themselves (i.e. the present façade arrangement) ought to be preserved.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

The proposed project removes the distinctive dormer, and replaces it with a tower feature that is a different size and character than that of the original design of the building, likewise the proposed façade arrangement alters what may be an original or early alteration of the ground floor.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property and its environment. The new work shall be differentiated from the old to protect the historic integrity of the

property and shall be compatible with the massing, size, scale, and architectural details to protect the historic integrity of the property and its environment.

The proposed project alters the historic materials of the carriage house that characterize the building as a carriage house. The new work is incompatible with the historic architectural detailing of the utilitarian nature of the building.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The addition of the new tower feature will entail the removal of the historic fabric of the existing dormer, and the proposed façade of the ground floor will further remove historic material. If, in the future, the new elements were to be removed, the building would no longer be able to be returned to its essential form of a carriage house without a near-complete reconstruction. The only elements that would remain are the shape of the mansard roof, and secondary facades.

- 2. If material impairments are noted, what character-defining features of the building or district could be retained or respected in order to avoid a significant adverse effect by the project, presently or cumulatively, as modifications to the project to reduce or avoid impacts. Please recommend conditions of approval that may be desirable but do not mitigate the project's adverse effects.**

Several options that would not overwhelm the utilitarian nature of the building and allow the carriage house to be used for a residence exist.

The side entry last used for carriages or automobiles can be re-opened and infilled with a glass wall, with or without reconstructed barn doors – fixed in the open position. The central bay can be used for residential doors within the existing opening, and the single window maintained. On the second floor, the sliding glass door can be replaced with a fixed glass lower panel, and an operable casement window within the existing opening. The southern side of the building can be modified with a dormer to allow for access to light and air with new windows and doors onto the roof of a reconstructed non-historic carport.

A restoration approach can be employed, where the former symmetry of the façade is restored. The first bay's single window can be replicated onto a reconstructed wall of the third building bay, and the larger central bay enlarged to its former width. Within this large opening, a modern glass entry with sidelights and transom can be installed. Treatment of the second floor as noted above.

Each option can make full use of the range of architecturally patterned shingles on the mansard roof, similar to that found on the main house. A multi-colored

exterior paint scheme can further add to the embellishment of the western façade of the carriage house.

4. Whether the proposed project may have an adverse effect on off-site historical resources, such as adjacent historic properties.

☒ Yes ☐ No ☐ Unable to determine

It is unlikely that the project itself would have any material impairment to the main residence, the other part of the landmark site. There will be resulting impairments of the setting and feeling of the landmark site overall, with a change of the relationship between the two buildings as primary residence, and ancillary structure.

CHAPTER IX

EIR Authors and Consultants

EIR Authors

San Francisco Planning Department
Major Environmental Analysis
1650 Mission Street, Suite 400
San Francisco, California 94103
Environmental Review Officer: Paul Maltzer
EIR Coordinators: Viktoriya Wise,
Leigh Kienker, Tim Blomgren
Senior Environmental Planners: Rick Cooper,
Carol Roos
Preservation Technical Specialist:
N. Moses Corrette
Preservation Coordinator: Mark Luellen

Office of the City Attorney
City Hall, Room 234
San Francisco, CA 94102
Deputy City Attorney: Marlena G. Byrne

EIR Consultants

Environmental Science Associates
225 Bush Street, Suite 1700
San Francisco, California 94104-4207
Project Manager: Karl F. Heisler
Participants: Linda Uehara

Preservation Architecture
274 14th Street
Oakland, CA 94612
Mark Hulbert, Architect & Architectural
Conservator

Project Sponsor

Richard and Cheryl Zillman
280 Divisadero Street
San Francisco, California 94117

Project Attorney

Gladstone & Associates
177 Post Street, Penthouse
San Francisco, CA 94108
Brett Gladstone
Susanne Kelly

PLACE
POSTAGE

HERE

San Francisco Planning Department
Major Environmental Analysis
1650 Mission Street, Suite 400
San Francisco, California 94103

Attn: Viktoriya Wise, EIR Coordinator
2001.1056E—280 Divisadero Street Carriage House Project

PLEASE CUT ALONG DOTTED LINE

RETURN REQUEST REQUIRED FOR FINAL
ENVIRONMENTAL IMPACT REPORT

REQUEST FOR FINAL ENVIRONMENTAL IMPACT REPORT

TO: San Francisco Planning Department, Major Environmental Analysis

Check one box: ☐ Please send me a copy of the Final EIR on CD.
 ☐ Please send me a paper copy of the Final EIR.

Signed: _____

Print Your Name and Address in the Box Below:

